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[Findings for disapproval of the categorical exemption issued for 937-939 Jackson Street.]

Motion setting forth findings to disapprove the determination by the Planning Department that the proposed project located at 937-939 Jackson Street is categorically exempt from the California Environmental Quality Act as an in-fill development project and as a general rule exclusion.

WHEREAS, On September 30, 2003, the Planning Department determined that the proposed work at 937-939 Jackson Street was exempt from review under the California Environmental Quality Act ("CEQA") pursuant to the categorical exemption contained in the CEQA Guidelines, 14 California Code of Regulations Section 15332 as an in-fill development project and pursuant to CEQA Guidelines Section 15061(b)(3) as a general rule exclusion; and,

WHEREAS, The Planning Department determined that proposed project met all of the conditions of CEQA Guidelines Section 15332 in that it is consistent with the General Plan, is located on a site of no more than five acres substantially surrounded by urban uses, has no value as a habitat for endangered, rare or threatened species, would not result in any significant effects relating to traffic, noise, air quality or water quality, and could be adequately served by all required utilities and public services, as all of these issues are discussed in the Certificate of Determination of Exemption/Exclusion from Environmental Review contained in Board of Supervisors File No. 031905; and

WHEREAS, The Planning Department also determined that the proposed project would not have significant effects related to visual quality, shadow impacts, geology or hazardous materials, including asbestos and lead-based paint, as discussed in the Certificate of

Clerk of the Board
BOARD OF SUPERVISORS

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1 area, pedestrian and traffic safety issues should be further examined at different times of the
2 day and not simply at "peak" hours. (3) The impact of demolition and construction on air
3 quality in the area should be further studied, particularly with respect to asbestos and lead
4 (4) The impact of the proposed project on the Chinatown branch public library should be
5 examined. (5) Given the change in size of the building, aesthetic impacts, impacts on
6 neighborhood character, and impacts on sunlight, air circulation and open space should be
7 further studied. (6) Given the extremely constrained parking availability in the area the
8 environmental analysis should examine closely the impact of the parking shortage on traffic
9 circulation and safety in the area.



City and County of San Francisco

Tails

Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 031973

Date Passed: January 6, 2004

Motion setting forth findings to disapprove the determination by the Planning Department that the proposed project located at 937-939 Jackson Street is categorically exempt from the California Environmental Quality Act as an in-fill development project and as a general rule exclusion.

December 24, 2003 Board of Supervisors — REFERRED: Board of Supervisors


January 6, 2004 Board of Supervisors — APPROVED

Ayes: 10 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Excused: 1 - Daly

File No. 031973

I hereby certify that the foregoing Motion was APPROVED on January 6, 2004 by the Board of Supervisors of the City and County of San Francisco.


Gloria L. Young
Clerk of the Board

1 [Declaration of Emergency]

2
3 **Motion concurring in the determination of the Mayor for the continued need for the**
4 **declaration of emergency in connection with the needle exchange program.**

5
6 WHEREAS, On March 15, 1993, the Mayor declared a local emergency to exist in
7 connection with the AIDS epidemic and the high rate of HIV infection among injection drug
8 users and the corresponding high rate of transmission of the disease; and

9 WHEREAS, The Mayor directed the Department of Public Health to take immediate
10 steps to implement a needle exchange program in order to prevent the further spread of HIV
11 infection; and

12 WHEREAS, The Board of Supervisors adopted a resolution concurring in the
13 declaration of emergency and in the Mayor's directive to the Department of Public Health;
14 and

15 WHEREAS, Government Code Section 8630 requires the Board of Supervisors to
16 review the need for continuing the local emergency at least every 14 days; and

17 WHEREAS, The Mayor has determined that the conditions that gave rise to the need
18 for the declaration of emergency still exist and that the need for the declaration of emergency
19 continues; now, therefore, be it

20 MOVED, That the Board of Supervisors hereby concurs in the determination of the
21 Mayor for the continued need for the declaration of emergency in connection with the needle
22 exchange program.

23 DOCUMENTS DEPT.

24 AUG 11 2004

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City and County of San Francisco

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San Francisco, CA 94102-4689

Tails Motion

File Number: 032022

Date Passed: January 6, 2004

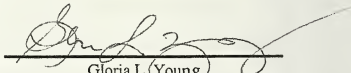
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

January 6, 2004 Board of Supervisors — APPROVED

Ayes: 10 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom,
Peskin, Sandoval
Excused: 1 - Daly

File No. 032022

I hereby certify that the foregoing Motion
was APPROVED on January 6, 2004 by the
Board of Supervisors of the City and County
of San Francisco.


Gloria L. Young
Clerk of the Board

1 [Requesting the Office of the Controller to conduct a management audit of the Department of
2 Recreation and Park's Aquatics Program].

3 **Motion requesting the Office of the Controller to conduct a management audit of the**
4 **Department of Recreation and Parks' Aquatics Program.**

5
6 WHEREAS, San Francisco is fortunate to have nine neighborhood pools serving its
7 diverse communities and providing an essential tool to enhance the health of the community,
8 and,

9 WHEREAS, The Recreation and Parks' strategic plan clearly states the need to prove
10 innovative and high quality programs and services that grow out of the community's express
11 needs and desires and respond to the community's growth and change; and,

12 WHEREAS, The Aquatic Task Force Summary Report commissioned by Supervisor
13 Maxwell expresses grave concerns from the community of issues such as public safety,
14 accessibility, and mismanagement of the pools; now, therefore, be it

15 MOVED, That the Board of Supervisors does hereby request the Office of the
16 Controller to conduct a management audit of the Department of Recreation and Parks'
17 Aquatics Program.



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 032032

Date Passed: January 6, 2004

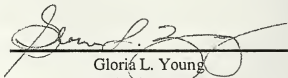
Motion requesting the Office of the Controller to conduct a management audit of the Department of Recreation and Park's Aquatics Program.

January 6, 2004. Board of Supervisors — APPROVED

Ayes: 10 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom,
Peskin, Sandoval
Excused: 1 - Daly

File No. 032032

I hereby certify that the foregoing Motion
was APPROVED on January 6, 2004 by the
Board of Supervisors of the City and County
of San Francisco.



Gloria L. Young
Clerk of the Board

1 [Adopting findings related to the determination that the appeal of 701 Lombard St. negative
2 declaration was timely.]

3 **Motion adopting findings related to the determination that the appeal of the negative**
4 **declaration issued on January 15, 2003 for 701 Lombard Street was timely filed.**

5
6 On December 21, 2002, the Environmental Review Officer of the Planning Department
7 issued a preliminary mitigated negative declaration for 701 Lombard Street in accordance with
8 the California Environmental Quality Act ("CEQA"), the CEQA Guidelines and San Francisco
9 Administrative Code Chapter 31.

10 On January 15, 2003, the Environmental Review Officer of the Planning Department
11 issued a final mitigated negative declaration for 701 Lombard Street ("negative declaration") in
12 accordance with Administrative Code Section 31.11(h). A copy of said document is on file
13 with the Clerk of the Board of Supervisors in File No. 031840 and is incorporated by reference
14 herein.

15 On November 6, 2003, the Clerk of the Board received a facsimile of an appeal of the
16 negative declaration from the Telegraph Hill Dwellers Association ("Appellant"), with original
17 correspondence received on November 10, 2003.

18 The California Public Resources Code Section 21151(c) was amended effective
19 January 1, 2003, to provide that negative declarations are appealable to the elected decision-
20 making body, but the statute does not put time limits on the right of appeal. The Board of
21 Supervisors has not yet adopted specific procedures or time lines providing for appeals of
22 such negative declarations.

23 This Board held a duly noticed public hearing on December 16, 2003, to determine
24 whether the appeal was timely. Following the conclusion of the public hearing, the Board
25 determined that the appeal was timely filed, based on the whole record before the Board,

Clerk of the Board
BOARD OF SUPERVISORS

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1 including the written record in File No. 031840, which is hereby declared to be a part of this
2 motion as if set forth fully herein, as well as the written submissions to, public testimony at,
3 and official written, video and audio records of the Planning Department determination on the
4 negative declaration and subsequent determinations of the Planning Commission, the Zoning
5 Administrator and the Board of Appeals related to the 701 Lombard Street project, and
6 deliberation of the oral and written testimony at the public hearing before the Board of
7 Supervisors by all parties and the public in support of and opposed to the question of whether
8 the appeal was timely.

9 MOVED, That the Board of Supervisors finds that the appellants first became
10 knowledgeable about a Notice of Special Restriction D897907, recorded November 12, 1986
11 ("NSR"), in July, 2003. The Planning Department's Major Environmental Analysis staff
12 testified before the Board of Supervisors on December 16, 2003, that they would have
13 included information about the notice of special restriction if they had known about the notice
14 at the time they prepared the negative declaration. The Planning Department's Property
15 Information Report form has a space for providing information about any notices of special
16 restrictions but the Property Information Report for the site did not include any information
17 about the NSR.

18 FURTHER MOVED, That the Board of Supervisors finds that details about the height of
19 the project changed after January 15, 2003. The negative declaration states that the building
20 will be approximately 40 feet in height per Planning Code measurement requirements but new
21 information required changes to the building design and configuration in order for the building
22 to actually conform to the 40 foot height limit under the Planning Code. Included in the new
23 information was a Letter of Determination Regarding Height Measurement issued by the
24 Zoning Administrator on June 26, 2003, that interpreted how the requirements of the Planning

1 Code would be interpreted by the Zoning Administrator to apply to the 701 Lombard Street
2 project.

3 FURTHER MOVED, That the Board of Supervisors finds that the public was not made
4 aware in the negative declaration that the project applicant would need a variance from open
5 space requirements for the project and the Zoning Administrator did not issue a variance
6 decision for the project until July 17, 2003.

7 FURTHER MOVED, That as a result of these changes made in the design of the
8 project after January 15, 2003, the negative declaration did not contain a completely accurate
9 description of the project or fully disclose the approvals that were needed for the project.

10 FURTHER MOVED, That the Board of Supervisors finds that the record of the Planning
11 Commission action on its decision not to take discretionary review and to approve the project
12 on June 26, 2003, as set forth in a Zoning Administrative letter of July 11, 2003 summarizing
13 the Planning Commission action on the 701 Lombard Street project (Case No. 2003.0346D)
14 does not indicate that the Planning Commission adopted the negative declaration at that time
15 and the only reference to the negative declaration is a finding that shadow impacts on the
16 North Beach Playground as addressed in the Final Mitigated Negative Declaration are
17 considered as less than significant.

18 FURTHER MOVED, That the Board of Supervisors finds that the Zoning
19 Administrator's variance decision issued on July 17, 2003 (Case No. 2003.0346V), does not
20 indicate that the Zoning Administrator adopted the negative declaration for the project at that
21 time and instead states that the project was determined to be categorically exempt from
22 environmental review even though the Planning Department did not issue a categorical
23 exemption for the project.

24 FURTHER MOVED, That the Board of Supervisors finds that the first decision-making
25 body to expressly adopt the negative declaration for the project was the Board of Appeals as

1 part of its decisions on October 8, 2003, to uphold the June 26, 2003 Letter Determination of
2 the Zoning Administrator (Board of Appeal No. 03-108) and the July 17, 2003 Variance issued
3 by the Zoning Administrator (Board of Appeal No. 03-116).

4 FURTHER MOVED, That the Board of Supervisors finds that the appellants filed the
5 appeal of the negative declaration to the Board of Supervisors within 30 days of the adoption
6 of the negative declaration by the Board of Appeals.

7 FURTHER MOVED, That the Board of Supervisors finds that at the time of the appeal
8 of the negative declaration on November 6, 2003, the Board of Appeals had scheduled for a
9 hearing on November 12, 2003, a request for rehearing on the appeals of the Letter
10 Determination and Variance issued by the Zoning Administrator for the 701 Lombard Street
11 project and the applicant had not yet obtained a building permit.

12 FURTHER MOVED, That in light of all of the facts and circumstances of the matter the
13 Board of Supervisors finds that the appellants brought the appeal of the negative declaration
14 within a reasonable period of time.
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City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 032053

Date Passed: January 13, 2004

Motion adopting findings related to the determination that the appeal of the negative declaration issued on January 15, 2003 for 701 Lombard Street was timely filed.

December 31, 2003 Board of Supervisors — REFERRED: Board of Supervisors

January 13, 2004 Board of Supervisors — APPROVED

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick,
Peskin, Sandoval

File No. 032053

I hereby certify that the foregoing Motion
was APPROVED on January 13, 2004 by the
Board of Supervisors of the City and County
of San Francisco.

Gloria L. Young
Clerk of the Board

1 [Adopting findings related to the appeal of the negative declaration issued by the Planning
2 Department for the 701 Lombard Street project.]

3 **Motion adopting findings related to the appeal of the negative declaration issued by the**
4 **Planning Department on January 15, 2003 for 701 Lombard Street project.**

5
6 On December 21, 2002, the Environmental Review Officer of the Planning Department
7 issued a preliminary mitigated negative declaration for 701 Lombard Street in accordance with
8 the California Environmental Quality Act ("CEQA"), the CEQA Guidelines and San Francisco
9 Administrative Code Chapter 31.

10 On January 15, 2003, the Environmental Review Officer of the Planning Department
11 issued a final mitigated negative declaration for 701 Lombard Street ("negative declaration") in
12 accordance with Administrative Code Section 31.11(h). A copy of said document is on file
13 with the Clerk of the Board of Supervisors in File No. 031840 and is incorporated by
14 reference herein.

15 On November 6, 2003, the Clerk of the Board received a facsimile of an appeal of the
16 negative declaration from the Telegraph Hill Dwellers Association ("Appellant"), with original
17 correspondence received on November 10, 2003.

18 This Board held a duly noticed public hearing on December 16, 2003, to consider the
19 negative declaration appeal filed by Appellant. Following the conclusion of the public hearing,
20 the Board reversed the Planning Department's issuance of the negative declaration for 701
21 Lombard Street based on the whole record before the Board including the written record in
22 File No. 031840, which is hereby declared to be a part of this motion as if set forth fully herein,
23 as well as the written submissions to, public testimony at, and official written, video and audio
24 records of the Planning Department determination on the negative declaration and
25 subsequent determinations of the Planning Commission, the Zoning Administrator and the

1 Board of Appeals related to the 701 Lombard Street project, and deliberation of the oral and
2 written testimony at the public hearing before the Board of Supervisors by all parties and the
3 public in support of and opposed to the appeal of the negative declaration.

4 MOVED, That the Board of Supervisors finds that the negative declaration is
5 inadequate and incomplete in its consideration of the environmental context and setting and
6 that there appears to be substantial evidence to support a fair argument that the project may
7 have potentially significant environmental effects, including (1) degrading or limiting important
8 scenic views and vistas now observed from public areas; (2) having negative aesthetic and
9 visual impacts; (3) shading of the North Beach Joe DiMaggio Playground; and (4) adversely
10 affecting a resource of historic and cultural importance to the City.

11 FURTHER MOVED, That the Board of Supervisors finds that the negative declaration
12 is inadequate in its analysis of the project's potential for substantial demonstrable negative
13 aesthetic effects and potential to substantially degrade or obstruct scenic views and vistas
14 now observed from public areas and that the information contained in the negative declaration
15 does not adequately support the conclusion by the Planning Department that the project will
16 not have any significant visual impacts.

17 FURTHER MOVED, That the Board of Supervisors finds that the negative declaration
18 is inadequate in its analysis of the project's context in that it did not consider whether the
19 adjacent North Beach Joe DiMaggio Playground may qualify as an historic or cultural
20 resource and, therefore, failed to address whether the height of the proposed project may
21 have a significant adverse effect on the park and its surroundings in that it will shade park
22 features and limit park views and vistas.

23 FURTHER MOVED, That the Board of Supervisors finds that the negative declaration
24 is inadequate in its analysis of the impacts of shadows that the project will cast on the North
25 Beach Joe DiMaggio Playground and that the information contained in the negative

1 declaration does not adequately support its conclusion that the additional shadow cast on the
2 park by the project, including additional shadow on the tennis courts and bocce ball courts, is
3 not a significant impact.

4 FURTHER MOVED, That the Board of Supervisors finds that the negative declaration
5 should have disclosed and considered the fact that the project site is subject to a recorded
6 notice of special restriction under the City's Planning Code, and that the negative declaration
7 is further inadequate in that it does not adequately explain its conclusion that the project does
8 not conflict with the City's General Plan policies that relate to physical environmental issues.

9 FURTHER MOVED, That the Board of Supervisors directs the Planning Department to
10 reevaluate the project based on the findings set forth above and in light of the whole record, to
11 determine whether substantial evidence supports a fair argument that the project may have
12 potentially significant environmental effects; if not, to revise the negative declaration in light of
13 the findings set forth above; if so, to prepare an environmental impact report that discloses
14 and considers the notice of special restriction recorded on the site; further examines the visual
15 impacts of the project both as to whether important scenic views and vistas now observed
16 from public areas will be degraded or limited and as to the project's potential negative
17 aesthetic and visual impacts; determines whether the North Beach Joe DiMaggio Playground
18 is an important historic or cultural resource and if so, considers the effects of the project on
19 this resource; further examines whether the additional shadows cast on the Park by the
20 project result in a significant impact; and provides an objective analysis of mitigation and a
21 reasonable range of alternatives.



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 032054

Date Passed: January 13, 2004

Motion adopting findings related to the appeal of the negative declaration issued by the Planning Department on January 15, 2003 for 701 Lombard Street project.

December 31, 2003 Board of Supervisors — REFERRED: Board of Supervisors

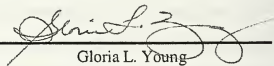
January 13, 2004 Board of Supervisors — APPROVED

Ayes: 8 - Ammiano, Daly, Dufty, Gonzalez, Maxwell, McGoldrick, Peskin,
Sandoval

Noes: 2 - Hall, Ma

File No. 032054

I hereby certify that the foregoing Motion
was **APPROVED** on January 13, 2004 by the
Board of Supervisors of the City and County
of San Francisco.


Gloria L. Young
Clerk of the Board

1 [Declaration of Emergency]

2
3 **Motion concurring in the determination of the Mayor for the continued need for the**
4 **declaration of emergency in connection with the needle exchange program.**

5
6 WHEREAS, On March 15, 1993, the Mayor declared a local emergency to exist in
7 connection with the AIDS epidemic and the high rate of HIV infection among injection drug
8 users and the corresponding high rate of transmission of the disease; and

9 WHEREAS, The Mayor directed the Department of Public Health to take immediate
10 steps to implement a needle exchange program in order to prevent the further spread of HIV
11 infection; and

12 WHEREAS, The Board of Supervisors adopted a resolution concurring in the
13 declaration of emergency and in the Mayor's directive to the Department of Public Health;
14 and

15 WHEREAS, Government Code Section 8630 requires the Board of Supervisors to
16 review the need for continuing the local emergency at least every 14 days; and

17 WHEREAS, The Mayor has determined that the conditions that gave rise to the need
18 for the declaration of emergency still exist and that the need for the declaration of emergency
19 continues; now, therefore, be it

20 MOVED, That the Board of Supervisors hereby concurs in the determination of the
21 Mayor for the continued need for the declaration of emergency in connection with the needle
22 exchange program.

23
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City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 040004

Date Passed: January 13, 2004

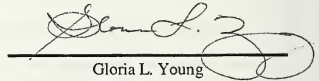
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

January 13, 2004 Board of Supervisors — APPROVED

Ayes: 9 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Peskin, Sandoval
Noes: 1 - McGoldrick

File No. 040004

I hereby certify that the foregoing Motion was APPROVED on January 13, 2004 by the Board of Supervisors of the City and County of San Francisco.


Gloria L. Young
Clerk of the Board

[Final Map for a 12 Unit Mixed-Use Condominium Project]

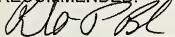
Motion approving Final Map of 49 Ocean Avenue, A Mixed-Use Condominium Project, being a subdivision of Lot 37 in Assessor's Block No. 6955, and adopting findings pursuant to Planning Code Section 101.1.

MOVED, That the certain map entitled "Map of 49 Ocean Avenue, A Mixed-Use Condominium Project", being a subdivision of Lot 37, Portion of Assessor's Block No. 6955, comprising 4 sheets, approved the 31st day of December, 2003 by Department of Public Works Order No. 174,585, be and the same is hereby approved and adopted as the Official Map of 49 Ocean Avenue, A Mixed Use Condominium Project.

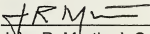
FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the Planning Department, by its letter dated January 27, 2003, that the project intended by the map is consistent with the General Plan and the Priority Policies of Planning Code Section 101.1.

FURTHER MOVED, That approval of this map is also contingent upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

RECOMMENDED:


Edwin M. Lee
Director of Public Works

DESCRIPTION APPROVED:


John R. Martin, L.S.
County Surveyor

AUG 11 2004



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 040038

Date Passed: January 13, 2004

Motion approving Final Map of 49 Ocean Avenue, A Mixed-Use Condominium Project, being a subdivision of Lot 37 in Assessor's Block No. 6955, and adopting findings pursuant to Planning Code Section 101.1.

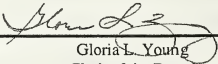
January 13, 2004 Board of Supervisors — APPROVED

Ayes: 9 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Peskin, Sandoval

Noes: 1 - McGoldrick

File No. 040038

I hereby certify that the foregoing Motion was APPROVED on January 13, 2004 by the Board of Supervisors of the City and County of San Francisco.


Gloria L. Young
Clerk of the Board

FILE NO. 040024

MOTION NO. M04-8

[Final Map for a 28 Unit Live/Works Condominium Project]

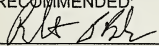
Motion approving Final Map of 1247 Harrison Street, A Live/Works Condominium Project, being a subdivision of Lot 72 in Assessor's Block No. 3757, and adopting findings pursuant to Planning Code Section 101.1.

MOVED, That the certain map entitled "Map of 1247 Harrison Street, A Live/Work Condominium Project," being a subdivision of Lot 72, Portion of Assessor's Block No. 3757, comprising 8 sheets, approved the 14th day of January, 2004 by Department of Public Works Order No. 174,620, be and the same is hereby approved and adopted as the Official Map of 1247 Harrison Street, A Live/Work Condominium Project.

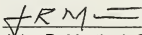
FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the Planning Department, by its letter dated April 24, 2003, that the project intended by the map is consistent with the General Plan and the Priority Policies of Planning Code Section 101.1.

FURTHER MOVED, That approval of this map is also contingent upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

RECOMMENDED:


Edwin M. Lee
Director of Public Works

DESCRIPTION APPROVED:


John R. Martin, L.S.
County Surveyor



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 040024

Date Passed: January 27, 2004

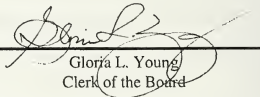
Motion approving Final Map of 1247 Harrison Street, A Live/Works Condominium Project, being a subdivision of Lot 72 in Assessor's Block No. 3757, and adopting findings pursuant to Planning Code Section 101.1.

January 27, 2004 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell,
McGoldrick, Peskin, Sandoval

File No. 040024

I hereby certify that the foregoing Motion
was APPROVED on January 27, 2004 by the
Board of Supervisors of the City and County
of San Francisco.


Gloria L. Young
Clerk of the Board

FILE NO. 040025

MOTION NO. M04-9

[Final Map for a 23 Unit Commercial / Residential Condominium Project]

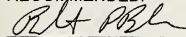
Motion approving Final Map of 1452 Bush Street, A Commercial / Residential Condominium Project, being a subdivision of Lot 8 in Assessor's Block No. 667, and adopting findings pursuant to Planning Code Section 101.1.

MOVED, That the certain map entitled "Map of 1452 Bush Street, A Commercial / Residential Condominium Project", being a subdivision of Lot 8, Portion of Assessor's Block No. 667, comprising 8 sheets, approved the 14th day of January, 2004 by Department of Public Works Order No. 174,621, be and the same is hereby approved and adopted as the Official Map of 1452 Bush Street, A Commercial / Residential Condominium Project.

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the Planning Department, by its letter dated January 15, 2003, that the project intended by the map is consistent with the General Plan and the Priority Policies of Planning Code Section 101.1.

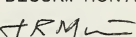
FURTHER MOVED, That approval of this map is also contingent upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

RECOMMENDED:



Edwin M. Lee
Director of Public Works

DESCRIPTION APPROVED:



John R. Martin, L.S.
County Surveyor



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 040025

Date Passed: January 27, 2004

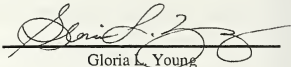
Motion approving Final Map of 1452 Bush Street, A Commercial/Residential Condominium Project, being a subdivision of Lot 8 in Assessor's Block No. 667, and adopting findings pursuant to Planning Code Section 101.1.

January 27, 2004 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell,
McGoldrick, Peskin, Sandoval

File No. 040025

I hereby certify that the foregoing Motion
was APPROVED on January 27, 2004 by the
Board of Supervisors of the City and County
of San Francisco.


Gloria L. Young
Clerk of the Board

FILE NO. 040026

MOTION NO. M04-10

[Final Map for an 8 Unit Residential Condominium Project]

Motion approving Final Map of 1009 Mission Street, A Residential Condominium Project, being a subdivision of Lot 153 in Assessor's Block No. 3726, and adopting findings pursuant to Planning Code Section 101.1.

MOVED, That the certain map entitled "Map of 1009 Mission Street, A Residential Condominium Project," being a subdivision of Lot 153, Portion of Assessor's Block No. 3726, comprising 5 sheets, approved the 21st day of January, 2004 by Department of Public Works Order No. 174,622, be and the same is hereby approved and adopted as the Official Map of 1009 Mission Street, A Residential Condominium Project.

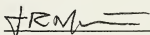
FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the Planning Department, by its letter dated December 19, 2002, that the project intended by the map is consistent with the General Plan and the Priority Policies of Planning Code Section 101.1.

FURTHER MOVED, That approval of this map is also contingent upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

RECOMMENDED:

for 
Edwin M. Lee
Director of Public Works

DESCRIPTION APPROVED:


John R. Martin, L.S.
County Surveyor



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 040026

Date Passed: January 27, 2004

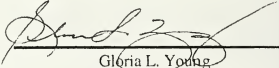
Motion approving Final Map of 1009 Mission Street, A Residential Condominium Project, being a subdivision of Lot 153 in Assessor's Block No. 3726, and adopting findings pursuant to Planning Code Section 101.1.

January 27, 2004 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell,
McGoldrick, Peskin, Sandoval

File No. 040026

I hereby certify that the foregoing Motion
was APPROVED on January 27, 2004 by the
Board of Supervisors of the City and County
of San Francisco.


Gloria L. Young
Clerk of the Board

1 [Environmental Review.]
2

3 **Motion certifying review of Final Negative Declaration relating to proposed Conditional**
4 **Use of Property at 1160 Mission Street, and adopting findings pursuant to Planning**
5 **Code Section 101.1.**
6

7 **MOVED,** That on September 22, 2003, the Planning Department adopted and issued a
8 **Final Negative Declaration** for the project at 1160 Mission Street, making a finding that the
9 project would have no significant impact on the environment; and be it
10

11 **FURTHER MOVED,** That this Board of Supervisors certifies that it has reviewed said
12 **Final Negative Declaration** and adopts as its own the findings of the Planning Department.
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City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 040049

Date Passed: January 27, 2004

Motion certifying review of Final Negative Declaration relating to proposed Conditional Use of property at 1160 Mission Street, and adopting findings pursuant to Planning Code Section 101.1.

January 27, 2004 Board of Supervisors — APPROVED

Ayes: 9 - Alioto-Pier, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick,
Peskin

Absent: 2 - Ammiano, Sandoval

File No. 040049

I hereby certify that the foregoing Motion
was APPROVED on January 27, 2004 by the
Board of Supervisors of the City and County
of San Francisco.

A handwritten signature in black ink, appearing to read "Gloria L. Young", written over a horizontal line.

Gloria L. Young
Clerk of the Board

1 [Findings]
2

3 Motion directing the Clerk of the Board to prepare findings relating to proposed
4 Conditional use Application No. 2002.0628CEKVX on property located at 1160 Mission
5 Street, for action by the Board at its next meeting.
6

7 IT IS HEREBY MOVED, That the Clerk of the Board be and he/she is hereby directed
8 to prepare findings relating to proposed Conditional Use Application No. 2002.0628CEKVX,
9 on property located at 1160 Mission Street, for action by the Board at its next meeting.
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City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 040048

Date Passed: January 27, 2004

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2002.0628CEKVX on property located at 1160 Mission Street, for action by the Board at its next meeting.

January 27, 2004 Board of Supervisors — APPROVED

Ayes: 9 - Alioto-Pier, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick,
Peskin

Absent: 2 - Ammiano, Sandoval

File No. 040048

I hereby certify that the foregoing Motion was APPROVED on January 27, 2004 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

1 [Declaration of Emergency]

2
3 **Motion concurring in the determination of the Mayor for the continued need for the**
4 **declaration of emergency in connection with the needle exchange program.**

5
6 WHEREAS, On March 15, 1993, the Mayor declared a local emergency to exist in
7 connection with the AIDS epidemic and the high rate of HIV infection among injection drug
8 users and the corresponding high rate of transmission of the disease; and

9 WHEREAS, The Mayor directed the Department of Public Health to take immediate
10 steps to implement a needle exchange program in order to prevent the further spread of HIV
11 infection; and

12 WHEREAS, The Board of Supervisors adopted a resolution concurring in the
13 declaration of emergency and in the Mayor's directive to the Department of Public Health;
14 and

15 WHEREAS, Government Code Section 8630 requires the Board of Supervisors to
16 review the need for continuing the local emergency at least every 14 days; and

17 WHEREAS, The Mayor has determined that the conditions that gave rise to the need
18 for the declaration of emergency still exist and that the need for the declaration of emergency
19 continues; now, therefore, be it

20 MOVED, That the Board of Supervisors hereby concurs in the determination of the
21 Mayor for the continued need for the declaration of emergency in connection with the needle
22 exchange program.

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DOCUMENTS DEPT.



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 040071

Date Passed: January 27, 2004

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

January 27, 2004 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

File No. 040071

I hereby certify that the foregoing Motion was APPROVED on January 27, 2004 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

1 [Committee of the Whole – 201 Folsom & 300 Spear Streets.]
2

3 **Motion approving the convening by the Board of Supervisors of a public hearing as a**
4 **Committee of the Whole for Board Files 031770, 031771, and 031772, regarding General**
5 **Plan Amendments, Zoning Map Amendments and Planning Code Text Amendments**
6 **related to the 201 Folsom and 300 Spear Streets residential projects (and the developed**
7 **lot at 345 Main Street), located in Rincon Hill, at the January 27, 2004, meeting of the**
8 **Board of Supervisors.**
9

10 WHEREAS, On October 22, 2003, the Planning Commission transmitted to the Clerk of
11 the Board of Supervisors proposed ordinances for General Plan Amendments, Zoning Map
12 Amendments, and Planning Code Text Amendments related to the 201 Folsom and 300
13 Spear Streets residential projects (File Nos. 031770, 031771, and 031772, respectively); and

14 WHEREAS, On November 4, 2003, each of these proposed ordinances was introduced
15 and assigned under the 30-day rule to the Land Use Committee; and

16 WHEREAS, On January 13, 2004, each of these proposed ordinances were called
17 from the Land Use Committee and placed on the Board's January 27, 2004 agenda; now,
18 therefore, be it

19 **MOVED, That the Board of Supervisors hereby convenes as a Committee of the Whole**
20 **at the January 27, 2004, meeting of the Board of Supervisors to consider the legislation**
21 **referred to above, regarding General Plan Amendments, Zoning Map Amendments, and**
22 **Planning Code Text Amendments related to the 201 Folsom and 300 Spear Streets**
23 **residential projects.**
24
25



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 040073

Date Passed: January 27, 2004

Motion approving the convening by the Board of Supervisors of a public hearing as a Committee of the Whole for Board Files 031770, 031771, and 031772, regarding General Plan Amendments, Zoning Map Amendments and Planning Code Text Amendments related to the 201 Folsom and 300 Spear Streets residential projects (and the developed lot at 345 Main Street), located in Rincon Hill, at the January 27, 2004 meeting of the Board of Supervisors.

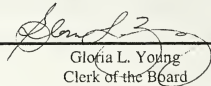
January 27, 2004 Board of Supervisors — APPROVED

Ayes: 7 - Alioto-Pier, Daly, Dufty, Hall, Ma, Peskin, Sandoval

Noes: 4 - Ammiano, Gonzalez, Maxwell, McGoldrick

File No. 040073

I hereby certify that the foregoing Motion was APPROVED on January 27, 2004 by the Board of Supervisors of the City and County of San Francisco.


Gloria L. Young
Clerk of the Board

FILE NO. 040047

MOTION NO. M04-15

1 [Zoning Appeal – 1160 Mission Street.]
2

3 **Motion disapproving decision of the Planning Commission by its Motion No. 16693,**
4 **which approved Conditional Use Application 2002.0628CEKVX on property located at**
5 **1160 Mission Street, and approving the issuance of Conditional Use Application**
6 **2002.0628CEKVX on property located at 1160 Mission Street, subject to all of the**
7 **conditions imposed by the Planning Commission, and further subject to three**
8 **additional conditions imposed by the Board of Supervisors on January 27, 2004.**
9

10 **MOVED,** That the decision of the Planning Commission by its Motion No. 16693, dated
11 December 4, 2003, approving Conditional Use Application No. 2002.0628CEKVX, subject to
12 certain conditions, for a Commercial Public Parking Garage with up to 381 parking spaces in a
13 C-3 District and for Residential-serving off-street parking in excess of accessory amounts, in
14 conjunction with the construction of a 23-story apartment building with up to 246 dwelling
15 units, in a C-3-G (Downtown General Commercial) District and 150-S and 240-S Height and
16 Bulk District, on property located at:

17 1160 Mission Street, northwest side between Seventh and Eighth Streets, with
18 additional frontage on Stevenson Street; Lots 37, 38, and 56 in Assessor's Block 3702,
19 is hereby disapproved.

20 **FURTHER MOVED,** That the Board of Supervisors hereby approves the issuance of
21 Conditional Use Application 2002.0628CEKVX on property located at 1160 Mission Street.
22 subject to all of the conditions imposed by the Planning Commission in its Motion No. 16693,
23 dated December 4, 2003, and further subject to the three additional conditions imposed by the
24 Board of Supervisors on January 27, 2003, with the stipulation of appellant Transportation for
25 a Livable City and project sponsor AGI Capital Group, Inc. those three additional conditions

Clerk of the Board
BOARD OF SUPERVISORS

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1 being:

2 1. The number of required bicycle parking stalls shall be increased from Twenty (20) to
3 Forty (40).

4 2. The commercial parking garage entrance shall be operated using all reasonable
5 measures to prevent vehicles from blocking the Mission Street sidewalk or bus lane in front of
6 the Project; including such preventative measures as to increase the length of the queuing
7 area entering the Garage.

8 3. The commercial parking garage and the residential-serving off-street parking
9 approved by this Conditional Use Application shall be contained in Four (4) floors instead of
10 Five (5) floors without change to the height or bulk of the Garage Podium and Residential
11 Tower.



City and County of San Francisco

City Hall
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San Francisco, CA 94102-4689

Tails Motion

File Number: 040047

Date Passed: January 27, 2004

Motion disapproving decision of the Planning Commission by its Motion No. 16693, approving Conditional Use Application 2002.0628CEKVX on property located at 1160 Mission Street, and adopting findings pursuant to Planning Code Section 101.1.

January 27, 2004 Board of Supervisors — AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

Ayes: 9 - Alioto-Pier, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin

Absent: 2 - Ammiano, Sandoval

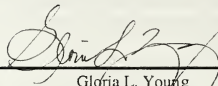
January 27, 2004 Board of Supervisors — APPROVED AS AMENDED

Ayes: 9 - Alioto-Pier, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin

Absent: 2 - Ammiano, Sandoval

File No. 040047

I hereby certify that the foregoing Motion
was APPROVED AS AMENDED on January
27, 2004 by the Board of Supervisors of the
City and County of San Francisco.



Gloria L. Young
Clerk of the Board

FILE NO. 040078

MOTION NO. M04-16

[Final Map for a 9 Unit Mixed/Use Condominium Project]


Motion approving Final Map of 1738 Lombard Street, A Mixed Use Condominium Project, being a subdivision of Lot 26 in Assessor's Block No. 495, and adopting findings pursuant to Planning Code Section 101.1.

MOVED, That the certain map entitled "Map of 1738 Lombard Street, A Mixed/Use Condominium Project," being a subdivision of Lot 26, Portion of Assessor's Block No. 495, comprising 4 sheets, approved the 26th day of January, 2004 by Department of Public Works Order No. 174,629, be and the same is hereby approved and adopted as the Official Map of 1738 Lombard Street, A Mixed/Use Condominium Project.

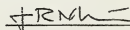
FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the Planning Department, by its letter dated April 28, 2003, that the project intended by the map is consistent with the General Plan and the Priority Policies of Planning Code Section 101.1.

FURTHER MOVED, That approval of this map is also contingent upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

RECOMMENDED:


Edwin M. Lee
Director of Public Works

DESCRIPTION APPROVED:


John R. Martin, L.S.
County Surveyor



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 040078

Date Passed: February 3, 2004

Motion approving Final Map of 1738 Lombard Street, A Mixed Use Condominium Project, being a subdivision of Lot 26 in Assessor's Block No. 495, and adopting findings pursuant to Planning Code Section 101.1.

February 3, 2004 Board of Supervisors — APPROVED

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, McGoldrick,
Peskin, Sandoval
Absent: 1 - Maxwell

File No. 040078

I hereby certify that the foregoing Motion was APPROVED on February 3, 2004 by the Board of Supervisors of the City and County of San Francisco.

A handwritten signature in black ink, appearing to read "Gloria L. Young", written over a horizontal line.

Gloria L. Young
Clerk of the Board

[Final Map for a 6 Unit Mixed/Use Condominium Project]

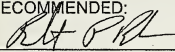
Motion approving Final Map of 3110 California Street, A Mixed/Use Condominium Project, being a subdivision of Lot 25 in Assessor's Block No. 1022, and adopting findings pursuant to Planning Code Section 101.1.

MOVED, That the certain map entitled "Map of 3110 California Street, A Mixed/Use Condominium Project," being a subdivision of Lot 25, Portion of Assessor's Block No. 1022, comprising 5 sheets, approved the 26th day of January, 2004 by Department of Public Works Order No. 174,627, be and the same is hereby approved and adopted as the Official Map of 3110 California Street, A Mixed/Use Condominium Project.

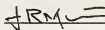
FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the Planning Department, by its letter dated June 25, 2003, that the project intended by the map is consistent with the General Plan and the Priority Policies of Planning Code Section 101.1.

FURTHER MOVED, That approval of this map is also contingent upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

RECOMMENDED:


Edwin M. Lee
Director of Public Works

DESCRIPTION APPROVED:


John R. Martin, L.S.
County Surveyor



City and County of San Francisco

Tails

Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 040079

Date Passed: February 3, 2004

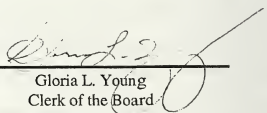
Motion approving Final Map of 3110 California Street, A Mixed/Use Condominium Project, being a subdivision of Lot 25 in Assessor's Block No. 1022, and adopting findings pursuant to Planning Code Section 101.1.

February 3, 2004 Board of Supervisors — APPROVED

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, McGoldrick,
Peskin, Sandoval
Absent: 1 - Maxwell

File No. 040079

I hereby certify that the foregoing Motion was APPROVED on February 3, 2004 by the Board of Supervisors of the City and County of San Francisco.


Gloria L. Young
Clerk of the Board

1 [Disapproving the categorical exemption issued for 899 North Point Street.]

2
3 **Motion disapproving the determination by the Planning Department that the 899 North**
4 **Point Street project is categorically exempt from environmental review under the**
5 **California Environmental Quality Act.**
6

7 WHEREAS, the Environmental Review Office of the San Francisco Planning
8 Department issued a certificate of determination of exemption/exclusion from environmental
9 review for the demolition of a vacant gas station and construction of a 5-unit residential
10 building at 899 North Point Street ("Project") on March 12, 2003 (the "determination"). A copy
11 of said document is on file with the Clerk of the Board of Supervisors in File No. 031969, and
12 is incorporated by reference herein; and,

13 WHEREAS, By letter to the Clerk of the Board of Supervisors dated December 4, 2003,
14 Roland Salvato and Malana Moberg on behalf of the Aquatic Park Neighborhood Association
15 and the Russian Hill Improvement Association filed an appeal of the determination to the
16 Board of Supervisors, which the Clerk of the Board of Supervisors received on or around
17 December 4, 2003; and,

18 WHEREAS, On January 13, 2003, this Board held a duly noticed public hearing to
19 consider the appeal of the determination; and,

20 WHEREAS, This Board has reviewed and considered the determination, the appeal
21 letter, the responses to concerns document that the Planning Department prepared, and
22 public testimony; and,

23 WHEREAS, The determination files and all correspondence and other documents have
24 been made available for review by this Board and the public. These files are available for
25

1 public review by appointment at the Planning Department offices at 1660 Mission Street, and
2 are part of the record before this Board by reference herein; now, therefore, be it

3 MOVED, That this Board of Supervisors disapproves the determination by the Planning
4 Department that the Project is exempt/excluded from environmental review.



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 031971

Date Passed: February 10, 2004

Motion disapproving the determination by the Planning Department that the 899 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act.

January 13, 2004 Board of Supervisors — CONTINUED

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

January 27, 2004 Board of Supervisors — CONTINUED

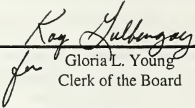
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

February 10, 2004 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

File No. 031971

I hereby certify that the foregoing Motion
was APPROVED on February 10, 2004 by
the Board of Supervisors of the City and
County of San Francisco.


for Gloria L. Young
Clerk of the Board

1 [Preparation of findings related to the categorical exemption issued for 899 North Point
2 Street.]

3 Motion directing the Clerk of the Board to prepare findings related to the appeal of the
4 determination by the Planning Department that the 899 North Point Street project is
5 categorically exempt from environmental review under the California Environmental
6 Quality Act.
7

8 WHEREAS, the Environmental Review Office of the San Francisco Planning
9 Department issued a certificate of determination of exemption/exclusion from environmental
10 review for the demolition of a vacant gas station and construction of a 5-unit residential
11 building at 899 North Point Street ("Project") on March 12, 2003 (the "determination"). A copy
12 of said document is on file with the Clerk of the Board of Supervisors in File No. 031969, and
13 is incorporated by reference herein; and,
14

15 WHEREAS, By letter to the Clerk of the Board of Supervisors dated December 4, 2003,
16 Roland Salvato and Malana Moberg on behalf of the Aquatic Park Neighborhood Association
17 and the Russian Hill Improvement Association filed an appeal of the determination to the
18 Board of Supervisors, which the Clerk of the Board of Supervisors received on or around
19 December 4, 2003; and,
20

21 WHEREAS, On January 13, 2003, this Board held a duly noticed public hearing to
22 consider the appeal of the determination. Following the conclusion of the public hearing, the
23 Board rendered a decision on the use of the exemption/exclusion for the Project based on the
24 written record before the Board in File No. 031969 which is hereby declared to be a part of
25 this motion as if set forth fully herein, as well as all of the testimony at the public hearing in
support of and opposed to the appeal; and,

1 WHEREAS, In regard to said decision, this Board made certain findings specifying the
2 basis for its decision; now, therefore, be it

3 MOVED, That this Board directs the Clerk of the Board to prepare the findings
4 specifying the basis for its decision on the use of the exemption/exclusion for the 899 North
5 Point Street project.
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City and County of San Francisco

City Hall
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San Francisco, CA 94102-4689

Tails Motion

File Number: 031972

Date Passed: February 10, 2004

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 899 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act.

January 13, 2004 Board of Supervisors — CONTINUED

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

January 27, 2004 Board of Supervisors — CONTINUED

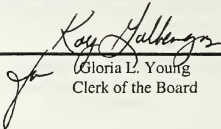
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

February 10, 2004 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

File No. 031972

I hereby certify that the foregoing Motion
was APPROVED on February 10, 2004 by
the Board of Supervisors of the City and
County of San Francisco.


Gloria L. Young
Clerk of the Board

1 [Declaration of Emergency]

2
3 **Motion concurring in the determination of the Mayor for the continued need for the**
4 **declaration of emergency in connection with the needle exchange program.**
5

6 WHEREAS, On March 15, 1993, the Mayor declared a local emergency to exist in
7 connection with the AIDS epidemic and the high rate of HIV infection among injection drug
8 users and the corresponding high rate of transmission of the disease; and

9 WHEREAS, The Mayor directed the Department of Public Health to take immediate
10 steps to implement a needle exchange program in order to prevent the further spread of HIV
11 infection; and

12 WHEREAS, The Board of Supervisors adopted a resolution concurring in the
13 declaration of emergency and in the Mayor's directive to the Department of Public Health;
14 and

15 WHEREAS, Government Code Section 8630 requires the Board of Supervisors to
16 review the need for continuing the local emergency at least every 14 days; and

17 WHEREAS, The Mayor has determined that the conditions that gave rise to the need
18 for the declaration of emergency still exist and that the need for the declaration of emergency
19 continues; now, therefore, be it

20 MOVED, That the Board of Supervisors hereby concurs in the determination of the
21 Mayor for the continued need for the declaration of emergency in connection with the needle
22 exchange program.
23
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25

DOCUMENTS DEPT.

AUG 11 2004



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 040140

Date Passed: February 10, 2004

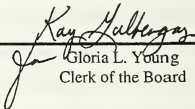
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

February 10, 2004 Board of Supervisors — APPROVED

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Hall, Ma, Maxwell, Peskin, Sandoval
Absent: 2 - Gonzalez, McGoldrick

File No. 040140

I hereby certify that the foregoing Motion was APPROVED on February 10, 2004 by the Board of Supervisors of the City and County of San Francisco.


Gloria L. Young
Clerk of the Board

1 [Adopting findings related to the conditional use appeal on property located at 1160 Mission
2 Street.]

3 Motion adopting findings related to the appeal of the Planning Commission's approval
4 of Conditional Use Application No. 2002.0628CEKVX, (which allowed, subject to certain
5 conditions, for a Commercial Public Parking Garage with up to 381 parking spaces and
6 for Residential-serving off-street parking in excess of accessory amounts, in
7 conjunction with the construction of a 23-story apartment building with up to 246
8 dwelling units), in a C-3-G (Downtown General Commercial) District and a 150-S and
9 240-S Height and Bulk District, on property located at 1160 Mission Street, northwest
10 side between Seventh and Eighth Streets, with additional frontage on Stevenson Street
11 (Lots 37, 38 and 56 in Assessor's Block 3702).

12
13 The appellant, Dave Snyder on behalf of Transportation for a Livable City, filed a timely
14 appeal on January 5, 2004, protesting the approval by the Planning Commission of an
15 application for a conditional use authorization (Conditional Use Application No.
16 2002.0628CEKVX), to allow, subject to certain conditions, for a Commercial Public Parking
17 Garage with up to 381 parking spaces and for Residential-serving off-street parking in excess
18 of accessory amounts, in conjunction with the construction of a 23-story apartment building
19 with up to 246 dwelling units, in a C-3-G (Downtown General Commercial) District and a
20 150-S and 240-S Height and Bulk District, on property located at 1160 Mission Street,
21 northwest side between Seventh and Eighth Streets, with additional frontage on Stevenson
22 Street (Lots 37, 38 and 56 in Assessor's Block 3702).

23 On January 27, 2004, the Board conducted a duly noticed public hearing on the appeal
24 from the Planning Commission's approval referred to in the first paragraph of this motion.
25 Following the conclusion of the public hearing on January 27, the Board disapproved the

1 decision of the Planning Commission (Planning Commission Motion No. 16693, dated
2 December 4, 2003) and approved the issuance of requested Conditional Use Application No.
3 2002.0628CEKVX, subject to the conditions imposed by the Planning Commission, and
4 further subject to additional conditions imposed by the Board of Supervisors.

5 In reviewing the appeal of the approval of the requested conditional use authorization,
6 this Board reviewed and considered the written record before the Board and all of the public
7 comments made in support of and in opposition to the appeal.

8 NOW, THEREFORE, BE IT MOVED, That the Board of Supervisors of the City and
9 County of San Francisco hereby adopts as its own and incorporates by reference herein, as
10 though fully set forth, the findings made by the Planning Commission in its Motion No. 16693,
11 dated December 4, 2003, except as indicated below.

12 FURTHER MOVED, That at the January 27, 2004, public hearing on this appeal the
13 appellant and project sponsor testified that the parties had mutually agreed and stipulated to
14 additional conditions of approval for Conditional Use Application No. 2002.0628CEKVX, which
15 conditions are incorporated and imposed by the Board of Supervisors as set forth below.

16 FURTHER MOVED, That on January 27, 2004, the Board of Supervisors disapproved
17 the decision of the Planning Commission by its Motion No. 16693, which approved
18 Conditional Use Application No. 2002.0628CEKVX, and approved the requested Conditional
19 Use Authorization subject to the conditions imposed by the Planning Commission, and further
20 subject to the following additional conditions stipulated by the appellant and project sponsor
21 and imposed by the Board:

22 1. The number of required bicycle parking stalls shall be increased from twenty
23 (20) to forty (40).

24 2. The commercial parking garage entrance shall be operated using all reasonable
25 measures to prevent vehicles from blocking the Mission Street sidewalk or bus lane in front of

1 the Project; including such preventative measures as to increase the length of the queuing
2 area entering the Garage.

3 3. The commercial parking garage and the residential-serving off-street parking
4 approved by this Conditional Use Application shall be contained in Four (4) floors instead of
5 five (5) floors without change to the height or bulk of the Garage Podium and Residential
6 Tower.

7 FURTHER MOVED, That the Board of Supervisors took notice that a Final Negative
8 Declaration was issued by the Planning Department on September 22, 2003. The Board
9 further finds that there have been no substantial Project changes, no substantial changes in
10 Project circumstances, and no new information of substantial importance that would change
11 the conclusions set forth in the Final Negative Declaration that the proposed Project would not
12 have a significant effect on the environment.

13 FURTHER MOVED, That, on balance, the Project, as revised by the Board of
14 Supervisors, is consistent with the objectives and policies of the General Plan, and is
15 consistent with the Priority Policies of Planning Code Section 101.1.

16 FURTHER MOVED, That the Board of Supervisors, after carefully balancing the
17 competing public and private interests, disapproved the decision of the Planning Commission
18 by its Motion No. 16693, dated December 4, 2003, and approved the issuance of Conditional
19 Use Application No. 2002.0628CEKVX on property located at 1160 Mission Street, subject to
20 the conditions imposed by the Planning Commission and the additional conditions imposed by
21 the Board of Supervisors on January 27, 2004, as referred to earlier in this motion.
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City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 040135

Date Passed:

Motion adopting findings related to the appeal of the Planning Commission's approval of Conditional Use Application No. 2002.0628CEKVX, (which allowed, subject to certain conditions, for a Commercial Public Parking Garage with up to 381 parking spaces and for Residential-serving off-street parking in excess of accessory amounts, in conjunction with the construction of a 23-story apartment building with up to 246 dwelling units), in a C-3-G (Downtown General Commercial) District and a 150-S and 240-S Height and Bulk District, on property located at 1160 Mission Street, northwest side between Seventh and Eighth Streets, with additional frontage on Stevenson Street (Lots 37, 38 and 56 in Assessor's Block 3702).

February 4, 2004 Board of Supervisors — REFERRED: Board of Supervisors

February 10, 2004 Board of Supervisors — APPROVED

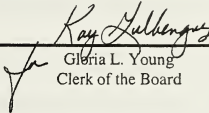
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell,

McGoldrick, Peskin

Absent: 1 - Sandoval

File No. 040135

I hereby certify that the foregoing Motion
was APPROVED on February 10, 2004 by
the Board of Supervisors of the City and
County of San Francisco.



Gloria L. Young
Clerk of the Board

1 [Committee of the Whole.]
2

3 Motion scheduling a Committee of the Whole on February 10, 2004, at 5:30 p.m. to hold
4 a hearing to discuss with the Police Department what they are doing to curb violence
5 and prevent additional meaningless deaths in the Southeast Sector of the City.
6

7 WHEREAS, The City and County of San Francisco has been faced with an epidemic
8 of violent murders in the Southeast Sector that demands citywide attention; now, therefore,
9 be it

10 MOVED, That the Board of Supervisors of the City and County of San Francisco
11 hereby schedules a Committee of the Whole on February 10, 2004, at 5:30 p.m. to hold a
12 hearing to discuss with the Police Department what they are doing to curb violence and
13 prevent additional meaningless deaths in the Southeast Sector of the City.
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Supervisor Maxwell, Daly, Dufty, Hall
BOARD OF SUPERVISORS

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City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 040152

Date Passed: February 10, 2004

Motion scheduling a Committee of the Whole on February 10, 2004, at 5:30 p.m. to hold a hearing to discuss with the Police Department what they are doing to curb violence and prevent additional meaningless deaths in the Southeast sector of the City.

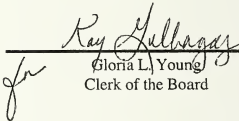
February 10, 2004 Board of Supervisors — APPROVED

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, Peskin,
Sandoval

Absent: 2 - Hall, McGoldrick

File No. 040152

I hereby certify that the foregoing Motion
was APPROVED on February 10, 2004 by
the Board of Supervisors of the City and
County of San Francisco.



Gloria L. Young
Clerk of the Board

1 [Appointment, Small Business Commission]

2
3 Motion appointing Michael O'Connor, David Sahagun and Jordanna Thigpen, term
4 ending dates to be determined, to the Small Business Commission.
5

6 WHEREAS, Pursuant to Charter Section 4.134, the Board of Supervisors shall appoint
7 three members to the Small Business Commission; now, therefore, be it

8 MOVED, That the Board of Supervisors of the City and County of San Francisco does
9 hereby appoint Michael O'Connor, David Sahagun and Jordana Thigpen to serve as its
10 representatives to the Small Business Commission.

11 Michael O'Connor, new appointment, seat 1, must be appointed by the Board of
12 Supervisors. Must be an owner, operator, or officer of a San Francisco small business, for
13 either an initial two or four year term (to be determined by lot), ending date to be determined.

14 David Sahagun, new appointment, seat 2, must be appointed by the Board of
15 Supervisors. Must be an owner, operator, or officer of a San Francisco small business, for
16 either an initial two or four year term (to be determined by lot), ending date to be determined.

17 Jordanna Thigpen, new appointment, seat 3, must be appointed by the Board of
18 Supervisors. May be a member of the public, and may be either a current or former owner,
19 operator or officer of a San Francisco small business. May be an officer or representative of a
20 neighborhood economic development organization or an expert in small business finance for
21 either an initial two or four year term (to be determined by lot), ending date to be determined.
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City and County of San Francisco

Tails

Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 031920

Date Passed: February 24, 2004

Motion appointing Michael O'Connor, term ending date to be determined, to the Small Business Commission.

February 24, 2004 Board of Supervisors — DIVIDED

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell,
Peskin, Sandoval

Excused: 1 - McGoldrick

February 24, 2004 Board of Supervisors — APPROVED

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell,
Peskin, Sandoval

Excused: 1 - McGoldrick

File No. 031920

I hereby certify that the foregoing Motion
was APPROVED on February 24, 2004 by
the Board of Supervisors of the City and
County of San Francisco.



Gloria L. Young
Clerk of the Board

FILE NO. 040088

MOTION NO. M04-24

[2004-2005 Fiscal Year Budget for the Board of Supervisors/Clerk of the Board.]

Motion approving the fiscal year 2004-2005 proposed budget for the Board of Supervisors/Clerk of the Board located in Board File No. 032023, and directing that it be filed with the Mayor.

MOVED, That the Board of Supervisors hereby approves the fiscal year 2004-2005 proposed budget for the Board of Supervisors/Clerk of the Board as placed in Board File No. 032023; and, be it

FURTHER MOVED, That the Clerk of the Board is hereby directed to submit to the Mayor this approved fiscal year 2004-2005 budget for the Board of Supervisors/Clerk of the Board.

Supervisor(s)Daly
BOARD OF SUPERVISORS

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City and County of San Francisco

Tails

Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 040088

Date Passed: February 24, 2004

Motion approving the fiscal year 2004-2005 proposed budget for the Board of Supervisors/Clerk of the Board located in Board File No. 032023, and directing that it be filed with the Mayor.

February 24, 2004 Board of Supervisors — APPROVED

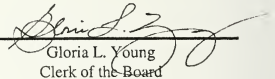
Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Peskin,
Sandoval

Absent: 1 - Maxwell

Excused: 1 - McGoldrick

File No. 040088

I hereby certify that the foregoing Motion
was APPROVED on February 24, 2004 by
the Board of Supervisors of the City and
County of San Francisco.


Gloria L. Young
Clerk of the Board

1 [Declaration of Emergency]

2
3 **Motion concurring in the determination of the Mayor for the continued need for the**
4 **declaration of emergency in connection with the needle exchange program.**

5
6 WHEREAS, On March 15, 1993, the Mayor declared a local emergency to exist in
7 connection with the AIDS epidemic and the high rate of HIV infection among injection drug
8 users and the corresponding high rate of transmission of the disease; and

9 WHEREAS, The Mayor directed the Department of Public Health to take immediate
10 steps to implement a needle exchange program in order to prevent the further spread of HIV
11 infection; and

12 WHEREAS, The Board of Supervisors adopted a resolution concurring in the
13 declaration of emergency and in the Mayor's directive to the Department of Public Health;
14 and

15 WHEREAS, Government Code Section 8630 requires the Board of Supervisors to
16 review the need for continuing the local emergency at least every 14 days; and

17 WHEREAS, The Mayor has determined that the conditions that gave rise to the need
18 for the declaration of emergency still exist and that the need for the declaration of emergency
19 continues; now, therefore, be it

20 MOVED, That the Board of Supervisors hereby concurs in the determination of the
21 Mayor for the continued need for the declaration of emergency in connection with the needle
22 exchange program.

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DOCUMENTS DEPT.



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 040180

Date Passed: February 24, 2004

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

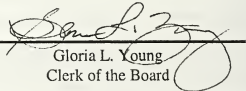
February 24, 2004 Board of Supervisors — APPROVED

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell,
Peskin, Sandoval

Excused: 1 - McGoldrick

File No. 040180

I hereby certify that the foregoing Motion
was APPROVED on February 24, 2004 by
the Board of Supervisors of the City and
County of San Francisco.


Gloria L. Young
Clerk of the Board

FILE NO. 040185

2/24/04

MOTION NO. M04-26

[Extending Time for Negotiations]

Motion extending time for negotiations pursuant to Charter Section 11.100

WHEREAS, The City and most of its labor unions have existing collective bargaining agreements that are effective through June 30, 2005.

WHEREAS, The City will be meeting and conferring with labor organizations over economic reopeners for fiscal year 2004-2005 in accordance with Charter section A8.409; and

WHEREAS, In order to be included in the budget to take effect July 1, 2004 an agreement or arbitration award must be approved and implemented by ordinance within timelines set forth in Charter Section A8.409-4, as may be extended by Charter Section 11.100; and

WHEREAS, The Board of Supervisors previously clarified such deadlines in Resolution No. 91-97; and

WHEREAS, Under Charter Section A8.409-4 the Human Resources Director has requested that the Board of Supervisors take action pursuant to Charter Section 11.100 to extend by thirty days the date for final adoption of ordinances approving and implementing successor collective bargaining agreements; now therefore, be it

MOVED, That the date for final adoption of ordinances approving and implementing successor collective bargaining agreements to be effective July 1, 2004 is hereby extended by thirty days. For unions and unrepresented employees in negotiations for which impasse has not been declared, the date for final adoption of ordinances approving and implementing successor collective bargaining agreements to be effective July 1, 2004 is April 27, 2004. Such proposed collective bargaining agreements must be submitted to the Clerk of the Board on or about April 1, 2004 in a form that will allow for complete review and costing in time for final adoption by April 27, 2004; and be it

Supervisor Aaron Peskin
BOARD OF SUPERVISORS

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AUG 11 2004

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2/24/2004

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1 FURTHER MOVED, That Arbitration panel awards issued pursuant to Charter Section
2 A8.409-4 shall should be submitted to the Clerk of the Board ~~on or about June 1, 2004~~ in a
3 form that will allow for complete review and costing in time for final adoption by June 30, 2004.
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City and County of San Francisco

Tails

Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 040185

Date Passed: February 24, 2004

Motion extending time for negotiations pursuant to Charter Section 11.100.

February 24, 2004 Board of Supervisors — AMENDED

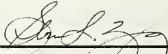
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell,
Peskin, Sandoval
Excused: 1 - McGoldrick

February 24, 2004 Board of Supervisors — APPROVED AS AMENDED

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell,
Peskin, Sandoval
Excused: 1 - McGoldrick

File No. 040185

I hereby certify that the foregoing Motion
was APPROVED AS AMENDED on
February 24, 2004 by the Board of
Supervisors of the City and County of San
Francisco.



Glória L. Young
Clerk of the Board

FILE NO. 040198

MOTION NO. 404-27

[Final Map for a 29 Unit A Commercial / Residential Condominium Project]

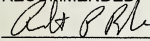
Motion approving Final Map of 900 Van Ness Avenue, A Commercial / Residential Condominium Project, being a subdivision of Lot 11 in Assessor's Block No. 718 and adopting findings pursuant to Planning Code Section 101.1.

MOVED, That the certain map entitled "Map of 900 Van Ness Avenue, A Commercial / Residential Condominium Project," being a subdivision of Lot 11, Portion of Assessor's Block No. 718, comprising 8 sheets, approved the 11th day of February, 2004 by Department of Public Works Order No. 174,664, be and the same is hereby approved and adopted as the Official Map of 900 Van Ness Avenue, A Commercial / Residential Condominium Project.

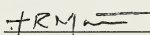
FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the Planning Department, by its letter dated May 3, 2002, that the project intended by the map is consistent with the General Plan and the Priority Policies of Planning Code Section 101.1.

FURTHER MOVED, That approval of this map is also contingent upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

RECOMMENDED:


Edwin M. Lee
Director of Public Works

DESCRIPTION APPROVED:


John R. Martin, L.S.
County Surveyor



City and County of San Francisco

Tails Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 040198

Date Passed: February 24, 2004

Motion approving Final Map of 900 Van Ness Avenue, a Commercial/ Residential Condominium Project, being a subdivision of Lot 11 in Assessor's Block No. 718 and adopting findings pursuant to Planning Code Section 101.1.

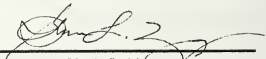
February 24, 2004 Board of Supervisors — APPROVED

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell,
Peskin, Sandoval

Excused: 1 - McGoldrick

File No. 040198

I hereby certify that the foregoing Motion
was APPROVED on February 24, 2004 by
the Board of Supervisors of the City and
County of San Francisco.



Gloria L. Young
Clerk of the Board

[Final Map for a 12 Unit Mixed/Use Condominium Project]


Motion approving Final Map of 800 Innes Avenue, A Mixed/Use Condominium Project, being a subdivision of Lot 2 in Assessor's Block No. 4645, and adopting findings pursuant to Planning Code Section 101.1.

MOVED, That the certain map entitled "Map of 800 Innes Avenue, A Mixed/Use Condominium Project," being a subdivision of Lot 2, Portion of Assessor's Block No. 4645, comprising 5 sheets, approved the 4th day of February, 2004 by Department of Public Works Order No. 174,653, be and the same is hereby approved and adopted as the Official Map of 800 Innes Avenue, A Mixed/Use Condominium Project.

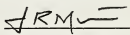
FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the Planning Department, by its letter dated May 2, 2003, that the project intended by the map is consistent with the General Plan and the Priority Policies of Planning Code Section 101.1.

FURTHER MOVED, That approval of this map is also contingent upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

RECOMMENDED:


for Edwin M. Lee
Director of Public Works

DESCRIPTION APPROVED:


John R. Martin, L.S.
County Surveyor



City and County of San Francisco
Tails
Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 040199

Date Passed: February 24, 2004

Motion approving Final Map of 800 Innes Avenue, a Mixed/Use Condominium Project, being a subdivision of Lot 2 in Assessor's Block No. 4645, and adopting findings pursuant to Planning Code Section 101.1.

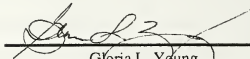
February 24, 2004 Board of Supervisors — APPROVED

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell,
Peskin, Sandoval

Excused: 1 - McGoldrick

File No. 040199

I hereby certify that the foregoing Motion
was APPROVED on February 24, 2004 by
the Board of Supervisors of the City and
County of San Francisco.


Gloria L. Young
Clerk of the Board

[Adopting findings related to the categorical exemption issued for 899 North Point Street.]

Motion adopting findings related to the appeal of the determination by the Planning Department that the 899 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act.

The Environmental Review Office of the San Francisco Planning Department issued a certificate of determination of exemption/exclusion from environmental review for the demolition of a vacant gas station and construction of a 5-unit residential building at 899 North Point Street ("Project") on March 12, 2003 (the "determination"). A copy of said document is on file with the Clerk of the Board of Supervisors in File No. 031969, and is incorporated by reference herein.

By letter to the Clerk of the Board of Supervisors dated December 4, 2003, Roland Salvato and Malana Moberg on behalf of the Aquatic Park Neighborhood Association and the Russian Hill Improvement Association filed an appeal of the determination to the Board of Supervisors, which the Clerk of the Board of Supervisors received on or around December 4, 2003.

On February 10, 2004, this Board held a duly noticed public hearing to consider the appeal of the determination. Following the conclusion of the public hearing, the Board reversed the Planning Department's decision to use an exemption/exclusion for the Project based on the written record before the Board in File No. 031971 which is hereby declared to be a part of this motion as if set forth fully herein, as well as all of the testimony at the public hearing in support of and opposed to the appeal.

1 MOVED, That the Board of Supervisors finds that the site was used as a gasoline
2 service station from the 1920's until the 1990's and therefore the site may contain hazardous
3 substances related to the gasoline service station use.

4 FURTHER MOVED, That the Board of Supervisors finds that the site was placed on a
5 state hazardous waste site list as a result of an unauthorized release of petroleum from an
6 underground storage tank on the site.

7 FURTHER MOVED, That the Board of Supervisors finds that based on testimony
8 presented to the Board that the site may contain waste oil and other products that were
9 disposed of in the soil on the site during its use as a gasoline service station and that the site
10 may require extensive cleanup.

11 FURTHER MOVED, That the Board of Supervisors finds that previous investigations
12 done on the site were limited in scope and may not have tested deep enough below the site or
13 conducted sufficiently extensive testing to identify all of the contamination that may be present
14 at the site.

15 FURTHER MOVED, That the Board of Supervisors finds that information about the
16 cleanup of the site is insufficient for the Board to conclude that the site has been adequately
17 investigated and cleaned up.

18 FURTHER MOVED, That the Board of Supervisors finds that in light of the findings set
19 forth above and the whole record, additional environmental review of the conditions of the soil
20 at the site is required to determine whether development of the site as proposed will have a
21 significant effect on the environment under the California Environmental Quality Act.



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 040200

Date Passed: February 24, 2004

Motion adopting findings related to the appeal of the determination by the Planning Department that the 899 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act.

February 12, 2004 Board of Supervisors — REFERRED: Board of Supervisors

February 24, 2004 Board of Supervisors — APPROVED

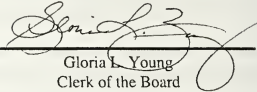
Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Peskin,
Sandoval

Absent: 1 - Maxwell

Excused: 1 - McGoldrick

File No. 040200

I hereby certify that the foregoing Motion
was APPROVED on February 24, 2004 by
the Board of Supervisors of the City and
County of San Francisco.



Gloria L. Young
Clerk of the Board

1 [Appointment, Small Business Commission]

2
3 **Motion appointing David Sahagun and Jordanna Thigpen, term ending dates to be**
4 **determined, to the Small Business Commission.**

5
6 WHEREAS, Pursuant to Charter Section 4.134, the Board of Supervisors shall appoint
7 three members to the Small Business Commission; and

8 WHEREAS, The Board of Supervisors at its meeting of February 24, 2004, appointed
9 Michael O'Conner to the Small Business Commission; now, therefore, be it

10 MOVED, That the Board of Supervisors of the City and County of San Francisco does
11 hereby appoint David Sahagun and Jordanna Thigpen to serve as its representatives to the
12 Small Business Commission.

13 David Sahagun, new appointment, seat 2, must be appointed by the Board of
14 Supervisors; must be an owner, operator, or officer of a San Francisco small business, for
15 either an initial two or four year term (to be determined by lot), ending date to be determined.

16 Jordanna Thigpen, new appointment, seat 3, must be appointed by the Board of
17 Supervisors; may be a member of the public, and may be either a current or former owner,
18 operator or officer of a San Francisco small business; may be an officer or representative of a
19 neighborhood economic development organization or an expert in small business finance, for
20 either an initial two or four year term (to be determined by lot), ending date to be determined.

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Supervisor Gonzalez
Clerk of the Board of Supervisors
BOARD OF SUPERVISORS

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1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 040237

Date Passed: February 24, 2004

Motion appointing David Sahagun and Jordanna Thigpen, term ending dates to be determined, to the Small Business Commission.

February 24, 2004 Board of Supervisors — APPROVED

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, Peskin,
Sandoval

Excused: 2 - Daly, McGoldrick

File No. 040237

I hereby certify that the foregoing Motion
was APPROVED on February 24, 2004 by
the Board of Supervisors of the City and
County of San Francisco.

Gloria L. Young
Clerk of the Board

[Final Map for a 29 Unit Live/Work Condominium Project]

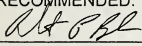
Motion approving Final Map of 1221 Harrison Street, A Live/Work Condominium Project, being a subdivision of Lot 71 in Assessor's Block No. 3757, and adopting findings pursuant to Planning Code Section 101.1.

MOVED, That the certain map entitled "Map of 1221 Harrison Street, A Live/Work Condominium Project," being a subdivision of Lot 71, Portion of Assessor's Block No. 3757, comprising 10 sheets, approved the 23rd day of February, 2004 by Department of Public Works Order No. 174,686, be and the same is hereby approved and adopted as the Official Map of 1221 Harrison Street, A Live/Work Condominium Project.

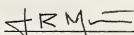
FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the Planning Department, by its letter dated June 13, 2003, that the project intended by the map is consistent with the General Plan and the Priority Policies of Planning Code Section 101.1.

FURTHER MOVED, That approval of this map is also contingent upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

RECOMMENDED:


Edwin M. Lee
to Director of Public Works

DESCRIPTION APPROVED:


John R. Martin, L.S.
County Surveyor



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 040221

Date Passed: March 9, 2004

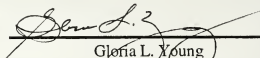
Motion approving Final Map of 1221 Harrison Street, A Live/Work Condominium Project, being a subdivision of Lot 71 in Assessor's Block No. 3757, and adopting findings pursuant to Planning Code Section 101.1.

March 9, 2004 Board of Supervisors — APPROVED

Ayes: 8 - Alioto-Pier, Daly, Gonzalez, Ma, Maxwell, McGoldrick, Peskin,
Sandoval
Absent: 1 - Hall
Excused: 2 - Ammiano, Dufty

File No. 040221

I hereby certify that the foregoing Motion
was APPROVED on March 9, 2004 by the
Board of Supervisors of the City and County
of San Francisco.


Gloria L. Young
Clerk of the Board

1 [Declaration of Emergency]

2
3 **Motion concurring in the determination of the Mayor for the continued need for the**
4 **declaration of emergency in connection with the needle exchange program.**
5

6 WHEREAS, On March 15, 1993, the Mayor declared a local emergency to exist in
7 connection with the AIDS epidemic and the high rate of HIV infection among injection drug
8 users and the corresponding high rate of transmission of the disease; and

9 WHEREAS, The Mayor directed the Department of Public Health to take immediate
10 steps to implement a needle exchange program in order to prevent the further spread of HIV
11 infection; and

12 WHEREAS, The Board of Supervisors adopted a resolution concurring in the
13 declaration of emergency and in the Mayor's directive to the Department of Public Health;
14 and

15 WHEREAS, Government Code Section 8630 requires the Board of Supervisors to
16 review the need for continuing the local emergency at least every 14 days; and

17 WHEREAS, The Mayor has determined that the conditions that gave rise to the need
18 for the declaration of emergency still exist and that the need for the declaration of emergency
19 continues; now, therefore, be it

20 MOVED, That the Board of Supervisors hereby concurs in the determination of the
21 Mayor for the continued need for the declaration of emergency in connection with the needle
22 exchange program.
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City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 040231

Date Passed: March 9, 2004

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

March 9, 2004 Board of Supervisors — APPROVED

Ayes: 8 - Alioto-Pier, Daly, Gonzalez, Ma, Maxwell, McGoldrick, Peskin,
Sandoval

Absent: 1 - Hall

Excused: 2 - Ammiano, Dufty

File No. 040231

I hereby certify that the foregoing Motion
was APPROVED on March 9, 2004 by the
Board of Supervisors of the City and County
of San Francisco.

A handwritten signature in black ink, appearing to read "Gloria L. Young", written over a horizontal line.

Gloria L. Young
Clerk of the Board

1 [Declaration of Emergency]

2

3 **Motion concurring in the determination of the Mayor for the continued need for the**

4 **declaration of emergency in connection with the needle exchange program.**

5

6 WHEREAS, On March 15, 1993, the Mayor declared a local emergency to exist in

7 connection with the AIDS epidemic and the high rate of HIV infection among injection drug

8 users and the corresponding high rate of transmission of the disease; and

9 WHEREAS, The Mayor directed the Department of Public Health to take immediate

10 steps to implement a needle exchange program in order to prevent the further spread of HIV

11 infection; and

12 WHEREAS, The Board of Supervisors adopted a resolution concurring in the

13 declaration of emergency and in the Mayor's directive to the Department of Public Health;

14 and

15 WHEREAS, Government Code Section 8630 requires the Board of Supervisors to

16 review the need for continuing the local emergency at least every 14 days; and

17 WHEREAS, The Mayor has determined that the conditions that gave rise to the need

18 for the declaration of emergency still exist and that the need for the declaration of emergency

19 continues; now, therefore, be it

20 MOVED, That the Board of Supervisors hereby concurs in the determination of the

21 Mayor for the continued need for the declaration of emergency in connection with the needle

22 exchange program.

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Tails Motion

File Number: 040317

Date Passed: March 23, 2004

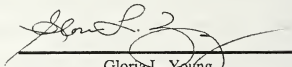
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

March 23, 2004 Board of Supervisors — APPROVED

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Peskin,
Sandoval
Absent: 2 - Maxwell, McGoldrick

File No. 040317

I hereby certify that the foregoing Motion
was APPROVED on March 23, 2004 by the
Board of Supervisors of the City and County
of San Francisco.


Gloria L. Young
Clerk of the Board

[Final Map for a 5 Unit Commercial / Residential Condominium Project]

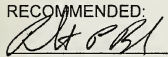
Motion approving Final Map of 2346 Clement Street, A Commercial / Residential Condominium Project, being a subdivision of Lot 25 in Assessor's Block No. 1409, and adopting findings pursuant to Planning Code Section 101.1.

MOVED, That the certain map entitled "Map of 2346 Clement Street, A Commercial / Residential Condominium Project," being a subdivision of Lot 25, Portion of Assessor's Block No. 1409, comprising 4 sheets, approved the 10th day of March, 2004 by Department of Public Works Order No. 174,714, be and the same is hereby approved and adopted as the Official Map of 2346 Clement Street, A Commercial / Residential Condominium Project.

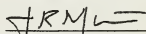
FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the Planning Department, by its letter dated August 14, 2003, that the project intended by the map is consistent with the General Plan and the Priority Policies of Planning Code Section 101.1.

FURTHER MOVED, That approval of this map is also contingent upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

RECOMMENDED:


Edwin M. Lee
Director of Public Works

DESCRIPTION APPROVED:


John R. Martin, L.S.
County Surveyor



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 040264

Date Passed: March 23, 2004

Motion approving Final Map of 2346 Clement Street, a Commercial/Residential Condominium Project, being a subdivision of Lot 25 in Assessor's Block No. 1409, and adopting findings pursuant to Planning Code Section 101.1.

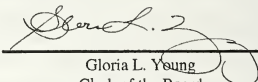
March 23, 2004 Board of Supervisors — APPROVED

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Peskin,
Sandoval

Absent: 2 - Maxwell, McGoldrick

File No. 040264

I hereby certify that the foregoing Motion
was APPROVED on March 23, 2004 by the
Board of Supervisors of the City and County
of San Francisco.



Gloria L. Young
Clerk of the Board

[Final Map for a 13 Unit Residential Condominium Project]

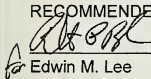
Motion approving Final Map of 1598 Dolores Street, A Residential Condominium Project, being a subdivision of Lot 39 in Assessor's Block No. 6618, and adopting findings pursuant to Planning Code Section 101.1.

MOVED, That the certain map entitled "Map of 598 Dolores Street, A Residential Condominium Project," being a subdivision of Lot 39, Portion of Assessor's Block No. 6618, comprising 6 sheets, approved the 10th day of March, 2004 by Department of Public Works Order No. 174,713, be and the same is hereby approved and adopted as the Official Map of 1598 Dolores Street, A Residential Condominium Project.

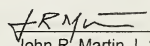
FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the Planning Department, by its letter dated October 2, 2003, that the project intended by the map is consistent with the General Plan and the Priority Policies of Planning Code Section 101.1.

FURTHER MOVED, That approval of this map is also contingent upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

RECOMMENDED:


Edwin M. Lee
Director of Public Works

DESCRIPTION APPROVED:


John R. Martin, L.S.
County Surveyor



City and County of San Francisco

Tails Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 040265

Date Passed: March 23, 2004

Motion approving Final Map of 1598 Dolores Street, a Residential Condominium Project, being a subdivision of Lot 39 in Assessor's Block No. 6618, and adopting findings pursuant to Planning Code Section 101.1.

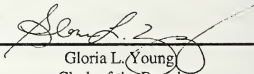
March 23, 2004 Board of Supervisors — APPROVED

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Peskin,
Sandoval

Absent: 2 - Maxwell, McGoldrick

File No. 040265

I hereby certify that the foregoing Motion
was APPROVED on March 23, 2004 by the
Board of Supervisors of the City and County
of San Francisco.


Gloria L. Young
Clerk of the Board

FILE NO. 031508

MOTION NO. M04-36

[Amending the Rules of the Board to provide the Office of the Legislative Analyst to primarily support the Board of Supervisors' Standing Committees and regional advisory bodies.]

Motion amending Rule No. 3.12 to the Rules of Order of the Board of Supervisors to provide a process that will allow the Office of the Legislative Analyst to primarily support the Board of Supervisors' Standing Committees and regional advisory bodies.

WHEREAS, The Board of Supervisors of the City and County of San Francisco Rules of Order, Rule 3.12, related to the Office of the Legislative Analyst, currently reads as follows:

APPROVAL OF REQUESTS OF THE LEGISLATIVE ANALYST. This portion of the agenda allows any Board Member to request that the legislative analyst provide assistance to the Board as a whole including, but not limited to: analyzing introduced legislation, analyzing policy issues and providing assistance to Board task forces and advisory committees. Such requests shall be listed under this agenda heading in the order received by the Clerk of the Board including the title of relevant legislation, if applicable. Any requests of the Board as a whole to the Legislative Analyst requires six affirmative votes; and

WHEREAS, The Board of Supervisors wishes to redirect the services of the Office of the Legislative Analyst to provide staff support to the Standing Committees of the Board of Supervisors on a primary basis as well as continue its support to regional advisory committees; and

WHEREAS, The Office of the Legislative Analyst consists of four full-time analysts; and

WHEREAS, The Clerk of the Board of Supervisors after consultation with the President of the Board will determine the specific Standing Committees to which an analyst will be assigned on an annual basis, ~~with a provision to not exceed four Committees;~~ and

1 WHEREAS, The Office of the Legislative Analyst, time permitting, may continue to
2 provide assistance to any Board Member, including, but not limited to: analyzing introduced
3 legislation, analyzing policy issues and providing assistance to Board task forces and advisory
4 committees. Such requests shall be listed under this agenda heading in the order received by
5 the Clerk of the Board including the title of relevant legislation, if applicable; now, therefore, be
6 it

7 MOVED, That the Board of Supervisors directs the Office of the Legislative Analyst to
8 provide staff support to the Chairs of the Standing Committees of the Board. Staff support
9 may include providing analysis and information concerning pending legislation assigned to the
10 Committee and responding to public inquiries on legislative matters. The Office of the
11 Legislative Analyst may collect, evaluate and report on information necessary for legislative
12 oversight and informational hearings.

13 FURTHER MOVED, That Rule 3.12 of the Rules of Order of the Board of Supervisors
14 is amended to read as follows:

15 **OFFICE OF THE LEGISLATIVE ANALYST.** The Office of the Legislative Analyst shall
16 provide staff support to the Board of Supervisors and to the Chairs of the Standing
17 Committees of the Board and report to each of the members of the Committees. Staff support
18 may include providing analysis and information concerning pending legislation assigned to the
19 Committee and responding to public inquiries on legislative matters. The Office of the
20 Legislative Analyst may collect, evaluate and report on information necessary for legislative
21 oversight and informational hearings.

22 Further, the Office of the Legislative Analyst, time permitting, may continue to provide
23 assistance to any Board Member, including, but not limited to: analyzing introduced
24 legislation, analyzing policy issues, and providing assistance to Board task forces and
25

1 advisory committees. Such requests shall be listed under this agenda heading in the order
2 received by the Clerk of the Board, including the title of relevant legislation.
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City and County of San Francisco

Tails Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 031508

Date Passed: March 30, 2004

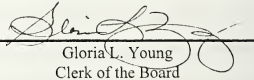
Motion amending Rule No. 3.12 to the Rules of Order of the Board of Supervisors to provide a process that will allow the Office of the Legislative Analyst to primarily support the Board of Supervisors' Standing Committees and regional advisory bodies.

March 30, 2004 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell,
McGoldrick, Peskin, Sandoval

File No. 031508

I hereby certify that the foregoing Motion
was **APPROVED** on March 30, 2004 by the
Board of Supervisors of the City and County
of San Francisco.


Gloria L. Young
Clerk of the Board

[Final Map for a 6 Unit Residential Condominium Project]

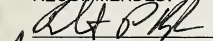
Motion approving Final Map of 929, 931, 933, 935, 937 & 939 Vermont Street, A Residential Condominium Project, being a subdivision of Lot 115 in Assessor's Block No. 4093, and adopting findings pursuant to Planning Code Section 101.1.

MOVED, That the certain map entitled "Map of 929, 931, 933, 935, 937 & 939 Vermont Street, A Residential Condominium Project," being a subdivision of Lot 115, Portion of Assessor's Block No. 4093, comprising 6 sheets, approved the 17th day of March, 2004 by Department of Public Works Order No. 174,726, be and the same is hereby approved and adopted as the Official Map of 929, 931, 933, 935, 937 & 939 Vermont Street, A Residential Condominium Project.

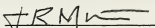
FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the Planning Department, by its letter dated October 10, 2002, that the project intended by the map is consistent with the General Plan and the Priority Policies of Planning Code Section 101.1.

FURTHER MOVED, That approval of this map is also contingent upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

RECOMMENDED:


Edwin M. Lee
Director of Public Works

DESCRIPTION APPROVED:


John R. Martin, L.S.
County Surveyor



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 040303

Date Passed: March 30, 2004

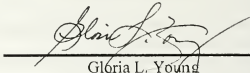
Motion approving Final Map of 929, 931, 933, 935, 937 & 939 Vermont Street, A Residential Condominium Project, being a subdivision of Lot 115 in Assessor's Block No. 4093, and adopting findings pursuant to Planning Code Section 101.1.

March 30, 2004 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell,
McGoldrick, Peskin, Sandoval

File No. 040303

I hereby certify that the foregoing Motion was APPROVED on March 30, 2004 by the Board of Supervisors of the City and County of San Francisco.



Gloria L. Young
Clerk of the Board

1 [Disapproving the mitigated negative declaration issued for 8 Washington Street]

2
3 **Motion disapproving the decision by the Planning Commission to issue a mitigated**
4 **negative declaration for the proposed project located at 8 Washington Street.**
5

6 WHEREAS, On November 1, 2003, the Environmental Review Officer of the Planning
7 Department issued a preliminary mitigated negative declaration for 8 Washington Street in
8 accordance with the California Environmental Quality Act ("CEQA"), the CEQA Guidelines and
9 San Francisco Administrative Code Chapter 31; and

10 WHEREAS, On November 21, 2003, Friends of Golden Gateway appealed the
11 decision to issue a Mitigated Negative Declaration; and

12 WHEREAS, On January 29, 2004, amendments were made to the Preliminary
13 Mitigated Negative Declaration, and the Planning Commission determined that such
14 amendments did not include new undisclosed environmental impacts and did not change the
15 conclusions reached in the Preliminary Mitigated Negative Declaration; and

16 WHEREAS, on February 5, 2004, the Planning Commission held a duly noticed and
17 advertised public hearing on the appeal of the Preliminary Mitigated Negative Declaration, at
18 which testimony on the merits of the appeal was received; and

19 WHEREAS, after consideration of the appeal, a staff memorandum dated January 29,
20 2004, the testimony received, the correspondence, documents and materials which constitute
21 the record of proceedings ("Record"), the Planning Commission affirmed the decision to issue
22 a Mitigated Negative Declaration as amended and found, on the basis of the Record, that
23 there was no substantial evidence that the proposed project as mitigated could have a
24 significant effect on the environment; and
25

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1 WHEREAS, This Board of Supervisors held a duly noticed public hearing on March 30,
2 2004 to consider the mitigated negative declaration in connection with its consideration of a
3 conditional use permit for the proposed project located at 8 Washington Street; and

4 WHEREAS, This Board has reviewed and considered the mitigated negative
5 declaration, a copy of which is on file with the Clerk of the Board of Supervisors in File No. 040310
6 and is incorporated by reference herein, the Record, the comments on the Mitigated Negative
7 Declaration, additional materials submitted to the Board, and the testimony received on the
8 mitigated negative declaration; and

9 WHEREAS, The mitigated negative declaration files, the Record, all correspondence
10 and other documents have been made available for review by this Board and the public.
11 These files are available for public review by appointment at the Planning Department offices
12 at 1660 Mission Street, and are part of the record before this Board by reference herein; now,
13 therefore, be it

14 MOVED, That this Board of Supervisors disapproves the Planning Commission's
15 decision to issue the mitigated negative declaration.
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City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 040332

Date Passed: March 30, 2004

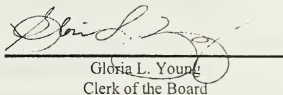
Motion disapproving the decision by the Planning Commission to issue a mitigated negative declaration for the proposed project located at 8 Washington Street.

March 30, 2004 Board of Supervisors — APPROVED

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell,
McGoldrick, Peskin, Sandoval
Noes: 1 - Hall

File No. 040332

I hereby certify that the foregoing Motion
was **APPROVED** on March 30, 2004 by the
Board of Supervisors of the City and County
of San Francisco.


Gloria L. Young
Clerk of the Board

[Preparation of findings to disapprove the mitigated negative declaration issued for
8 Washington Street]

**Motion directing the Clerk of the Board to prepare findings disapproving the decision
by the Planning Commission to issue a mitigated negative declaration for the proposed
project located at 8 Washington Street.**

WHEREAS, On November 1, 2003, the Environmental Review Officer of the Planning
Department issued a preliminary mitigated negative declaration for 8 Washington Street in
accordance with the California Environmental Quality Act ("CEQA"), the CEQA Guidelines and
San Francisco Administrative Code Chapter 31; and

WHEREAS, On November 21, 2003, Friends of Golden Gateway appealed the
decision to issue a Mitigated Negative Declaration; and

WHEREAS, On January 29, 2004, amendments were made to the Preliminary
Mitigated Negative Declaration, and the Planning Commission determined that such
amendments did not include new undisclosed environmental impacts and did not change the
conclusions reached in the Preliminary Mitigated Negative Declaration; and

WHEREAS, on February 5, 2004, the Planning Commission held a duly noticed and
advertised public hearing on the appeal of the Preliminary Mitigated Negative Declaration, at
which testimony on the merits of the appeal was received; and

WHEREAS, after consideration of the appeal, a staff memorandum dated January 29,
2004, the testimony received, the correspondence, documents and materials which constitute
the record of proceedings ("Record"), the Planning Commission affirmed the decision to issue
a Mitigated Negative Declaration as amended and found, on the basis of the Record, that

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AUG 11 2004

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1 there was no substantial evidence that the proposed project as mitigated could have a
2 significant effect on the environment; and

3 WHEREAS, This Board of Supervisors held a duly noticed public hearing on March 30,
4 2004 to consider the mitigated negative declaration in connection with its consideration of a
5 conditional use permit for the proposed project located at 8 Washington Street; and

6 WHEREAS, This Board has reviewed and considered the mitigated negative
7 declaration, a copy of which is on file with the Clerk of the Board of Supervisors in File No. 040310
8 and is incorporated by reference herein, the Record, the comments on the Mitigated Negative
9 Declaration, additional materials submitted to the Board, and the testimony received on the
10 mitigated negative declaration; and

11 WHEREAS, The mitigated negative declaration files, the Record, all correspondence
12 and other documents have been made available for review by this Board and the public.
13 These files are available for public review by appointment at the Planning Department offices
14 at 1660 Mission Street, and are part of the record before this Board by reference herein; now,
15 therefore, be it

16 MOVED, That this Board directs the Clerk of the Board to prepare the findings
17 specifying the basis for its disapproval of the Planning Department's decision to issue a
18 mitigated negative declaration for 8 Washington Street.

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City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 040333

Date Passed: March 30, 2004

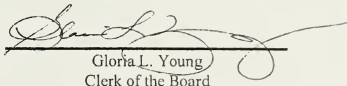
Motion directing the Clerk of the Board to prepare findings disapproving the decision by the Planning Commission to issue a mitigated negative declaration for the proposed project located at 8 Washington Street.

March 30, 2004 Board of Supervisors — APPROVED

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell,
McGoldrick, Peskin, Sandoval
Noes: 1 - Hall

File No. 040333

I hereby certify that the foregoing Motion was APPROVED on March 30, 2004 by the Board of Supervisors of the City and County of San Francisco.


Gloria L. Young
Clerk of the Board

1 [Establishing Joint City and School District Select Committee.]
2

3 **Motion establishing a Joint City and School District Select Committee.**
4

5 MOVED, That the Board of Supervisors of the City and County of San Francisco does
6 hereby establish a Joint City and School District Select Committee to which shall be referred
7 measures concerning issues of mutual interest that affect the City and the School District, its
8 employees, its students, and the families of its students, including the issue of the public use
9 of School District facilities, and shall terminate one year from the date of the appointment of its
10 members.
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Supervisor Matt Gonzalez
BOARD OF SUPERVISORS

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City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 040337

Date Passed: March 30, 2004

Motion establishing a Joint City and School District Select Committee.

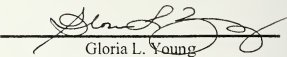
March 30, 2004 Board of Supervisors — APPROVED

Ayes: 8 - Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Absent: 3 - Alioto-Pier, Ammiano, Daly

File No. 040337

I hereby certify that the foregoing Motion
was APPROVED on March 30, 2004 by the
Board of Supervisors of the City and County
of San Francisco.


Gloria L. Young
Clerk of the Board

1 [Declaration of Emergency]

2
3 **Motion concurring in the determination of the Mayor for the continued need for the**
4 **declaration of emergency in connection with the needle exchange program.**

5
6 WHEREAS, On March 15, 1993, the Mayor declared a local emergency to exist in
7 connection with the AIDS epidemic and the high rate of HIV infection among injection drug
8 users and the corresponding high rate of transmission of the disease; and

9 WHEREAS, The Mayor directed the Department of Public Health to take immediate
10 steps to implement a needle exchange program in order to prevent the further spread of HIV
11 infection; and

12 WHEREAS, The Board of Supervisors adopted a resolution concurring in the
13 declaration of emergency and in the Mayor's directive to the Department of Public Health;
14 and

15 WHEREAS, Government Code Section 8630 requires the Board of Supervisors to
16 review the need for continuing the local emergency at least every 14 days; and

17 WHEREAS, The Mayor has determined that the conditions that gave rise to the need
18 for the declaration of emergency still exist and that the need for the declaration of emergency
19 continues; now, therefore, be it

20 MOVED, That the Board of Supervisors hereby concurs in the determination of the
21 Mayor for the continued need for the declaration of emergency in connection with the needle
22 exchange program.

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DOCUMENTS DEPT.

AUG 11 2004



City and County of San Francisco

Tails Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 040400

Date Passed: April 13, 2004

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

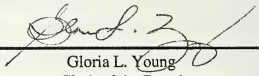
April 13, 2004 Board of Supervisors — APPROVED

Ayes: 9 - Alioto-Pier, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin,
Sandoval

Absent: 2 - Ammiano, Daly

File No. 040400

I hereby certify that the foregoing Motion
was APPROVED on April 13, 2004 by the
Board of Supervisors of the City and County
of San Francisco.



Gloria L. Young
Clerk of the Board

[Disapproving the categorical exemption issued for 450 Frederick Street.]

Motion disapproving the determination by the Planning Department that the 450 Frederick Street project is categorically exempt from environmental review under the California Environmental Quality Act.

WHEREAS, the Environmental Review Office of the San Francisco Planning Department issued a certificate of determination of exemption/exclusion from environmental review for the demolition of a single-family residence and construction of a 3-unit residential building at 450 Frederick Street ("Project") on November 10, 2003 (the "determination"). A copy of said document is on file with the Clerk of the Board of Supervisors in File No. 040311, and is incorporated by reference herein; and,

WHEREAS, By letter to the Clerk of the Board of Supervisors dated March 5, 2004, Lyall F. Harris, Francesco Ronchetti, Leslie Flores, Mark Ulriksen and Marjorie Beggs filed an appeal of the determination to the Board of Supervisors, which the Clerk of the Board of Supervisors received on or around March 8, 2004; and,

WHEREAS, On April 13, 2004, this Board held a duly noticed public hearing to consider the appeal of the determination; and,

WHEREAS, This Board has reviewed and considered the determination, the appeal letter, the responses to concerns document that the Planning Department prepared, and public testimony; and,

WHEREAS, The determination files and all correspondence and other documents have been made available for review by this Board and the public. These files are available for public review by appointment at the Planning Department offices at 1660 Mission Street, and are part of the record before this Board by reference herein; now, therefore, be it

1 MOVED, That this Board of Supervisors disapproves the determination by the Planning
2 Department that the Project is exempt/excluded from environmental review.
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City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 040313

Date Passed: April 13, 2004

Motion disapproving the determination by the Planning Department that the 450 Frederick Street project is categorically exempt from environmental review under the California Environmental Quality Act.

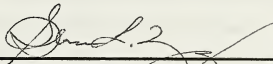
April 13, 2004 Board of Supervisors — APPROVED

Ayes: 10 - Alioto-Pier, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick,
Peskin, Sandoval

Absent: 1 - Ammiano

File No. 040313

I hereby certify that the foregoing Motion
was APPROVED on April 13, 2004 by the
Board of Supervisors of the City and County
of San Francisco.



Gloria L. Young
Clerk of the Board

[Preparation of findings related to the categorical exemption issued for 450 Frederick Street.]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 450 Frederick Street project is categorically exempt from environmental review under the California Environmental Quality Act.

WHEREAS, the Environmental Review Office of the San Francisco Planning Department issued a certificate of determination of exemption/exclusion from environmental review for the demolition of a single-family residence and construction of a 3-unit residential building at 450 Frederick Street ("Project") on November 10, 2003 (the "determination"). A copy of said document is on file with the Clerk of the Board of Supervisors in File No. 040311, and is incorporated by reference herein; and,

WHEREAS, By letter to the Clerk of the Board of Supervisors dated March 5, 2004, Lyall F. Harris, Francesco Ronchetti, Leslie Flores, Mark Ulriksen and Marjorie Beggs filed an appeal of the determination to the Board of Supervisors, which the Clerk of the Board of Supervisors received on or around March 8, 2004; and,

WHEREAS, On April 13, 2004, this Board held a duly noticed public hearing to consider the appeal of the determination. Following the conclusion of the public hearing, the Board rendered a decision on the use of the exemption/exclusion for the Project based on the written record before the Board in File No. 040311, which is hereby declared to be a part of this motion as if set forth fully herein, as well as all of the testimony at the public hearing in support of and opposed to the appeal; and,

WHEREAS, In regard to said decision, this Board made certain findings specifying the basis for its decision; now, therefore, be it

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BOARD OF SUPERVISORS

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1 MOVED, That this Board directs the Clerk of the Board to prepare the findings
2 specifying the basis for its decision on the use of the exemption/exclusion for the 450
3 Frederick Street project.
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City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 040314

Date Passed: April 13, 2004

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 450 Frederick Street project is categorically exempt from environmental review under the California Environmental Quality Act.

April 13, 2004 Board of Supervisors — APPROVED

Ayes: 10 - Alioto-Pier, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick,
Peskin, Sandoval

Absent: 1 - Ammiano

File No. 040314

I hereby certify that the foregoing Motion
was APPROVED on April 13, 2004 by the
Board of Supervisors of the City and County
of San Francisco.

A handwritten signature in cursive script, appearing to read "Gloria L. Young", written over a horizontal line.

Gloria L. Young
Clerk of the Board

FILE NO. 040367

MOTION NO. 104-44

[Board Off-site Meetings]

Motion ordering the City and School District Select Committee meetings of the Board of Supervisors be held at the Irving G. Breyer Board Meeting Room, Board of Education, 555 Franklin Street, First Floor, San Francisco, on ~~Monday, May 3~~ Tuesday, May 4; Monday, July 12; Monday, September 13; and Monday, November 8, 2004 at 4:00 p.m. and directing the Clerk of the Board to prepare the proper notices and postings.

WHEREAS, In the November 1993 election, Proposition O was passed by the voters of San Francisco to allow committee meetings of the San Francisco Board of Supervisors to be held outside of City Hall; and

WHEREAS, The 1996 Charter Section 2.103 continued to allow meetings of the San Francisco Board of Supervisors committees to be held outside of City Hall; and

WHEREAS, The Board of Supervisors on March 30, 2004 approved a Motion establishing a joint City and School District Select Committee to hear measures concerning issues of mutual interest that affect the City and School District, its employees, its students, and the families of its students, including the issue of the public use of the School District facilities, and this Committee shall terminate one year from the date of the appointment of its members; now therefore be it

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby order that the ~~Monday, May 3~~ Tuesday, May 4; Monday, July 12; Monday, September 13; and Monday, November 8, 2004 at 4:00 p.m. meetings of the City and School District Select Committee be held at the Irving G. Breyer Board Meeting Room, Board of Education, 555 Franklin Street, First Floor, San Francisco at 4:00 p.m.; and be it,

Supervisor Ammiano
BOARD OF SUPERVISORS

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1 FURTHER MOVED, That the Clerk of the Board of Supervisors is directed to prepare
2 the necessary notices and postings pursuant to Charter Section 2.103.
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City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 040367

Date Passed: April 13, 2004

Motion ordering the City and School District Select Committee meetings of the Board of Supervisors be held at the Irving G. Breyer Board Meeting Room, Board of Education, 555 Franklin Street, First Floor, San Francisco, on Monday, May 3; Monday, July 12; Monday, September 13; and Monday, November 8, 2004 at 4:00 p.m. and directing the Clerk of the Board to prepare the proper notices and postings.

April 13, 2004 Board of Supervisors — AMENDED

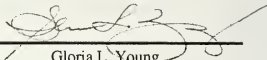
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

April 13, 2004 Board of Supervisors — APPROVED AS AMENDED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

File No. 040367

I hereby certify that the foregoing Motion
was APPROVED AS AMENDED on April
13, 2004 by the Board of Supervisors of the
City and County of San Francisco.

A handwritten signature in dark ink, appearing to read 'Gloria L. Young', is written over a solid horizontal line.

Gloria L. Young
Clerk of the Board

1 [Findings for disapproval of the mitigated negative declaration for 8 Washington Street.]

2
3 **Motion setting forth findings to disapprove the decision by the Planning Commission**
4 **to issue a mitigated negative declaration for the proposed project located at 8**
5 **Washington Street.**

6
7 WHEREAS, On November 1, 2003, the Environmental Review Officer of the Planning
8 Department issued a preliminary mitigated negative declaration for 8 Washington Street in
9 accordance with the California Environmental Quality Act ("CEQA"), the CEQA Guidelines and
10 San Francisco Administrative Code Chapter 31; and

11 WHEREAS, On November 21, 2003, Friends of Golden Gateway appealed the
12 decision to issue a Mitigated Negative Declaration; and

13 WHEREAS, On January 29, 2004, amendments were made to the Preliminary
14 Mitigated Negative Declaration, and the Planning Commission determined that such
15 amendments did not include new undisclosed environmental impacts and did not change the
16 conclusions reached in the Preliminary Mitigated Negative Declaration; and

17 WHEREAS, on February 5, 2004, the Planning Commission held a duly noticed and
18 advertised public hearing on the appeal of the Preliminary Mitigated Negative Declaration, at
19 which testimony on the merits of the appeal was received; and

20 WHEREAS, after consideration of the appeal, a staff memorandum dated January 29,
21 2004, the testimony received, the correspondence, documents and materials which constitute
22 the record of proceedings ("Record"), the Planning Commission affirmed the decision to issue
23 a Mitigated Negative Declaration as amended and found, on the basis of the Record, that
24 there was no substantial evidence that the proposed project as mitigated could have a
25 significant effect on the environment; and

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AUG 11 2004

Clerk of the Board
BOARD OF SUPERVISORS

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4/14/2004

1 WHEREAS, On March 25, 2004, the Redevelopment Agency became aware of a
2 dispute over whether the Redevelopment Agency has land use jurisdiction over two out of
3 three parcels that comprise the proposed project analyzed in the negative declaration; and

4 WHEREAS, On March 29, 2004, the San Francisco Redevelopment Agency informed
5 the Project Sponsor that the Redevelopment Agency retains land use jurisdiction over two of
6 the three blocks that comprise the proposed project analyzed in the negative declaration; and

7 WHEREAS, The Redevelopment Agency thus must review the environmental analysis
8 as well as exercise its authority under State law and the Redevelopment Plan over the
9 proposed project; and

10 WHEREAS, The mitigated negative declaration does not provide any information
11 regarding the Redevelopment Plan, the Redevelopment Agency's authority over the proposed
12 project, or the project's consistency with the applicable Redevelopment Plan; and

13 WHEREAS, This Board of Supervisors held a duly noticed public hearing on March 30,
14 2004 to consider the mitigated negative declaration in connection with its consideration of a
15 conditional use permit for the proposed project located at 8 Washington Street; and

16 WHEREAS, This Board has reviewed and considered the mitigated negative
17 declaration, a copy of which is on file with the Clerk of the Board of Supervisors in File No.
18 and is incorporated by reference herein, the Record, the comments on the Mitigated Negative
19 Declaration, additional materials submitted to the Board, and the testimony received on the
20 mitigated negative declaration; and

21 WHEREAS, The mitigated negative declaration files, the Record, all correspondence
22 and other documents have been made available for review by this Board and the public.
23 These files are available for public review by appointment at the Planning Department offices
24 at 1660 Mission Street, and are part of the record before this Board by reference herein; now,
25 therefore, be it

1 MOVED, That this Board disapproves the mitigated negative declaration because it
2 does not contain information that portions of the project are located within the Embarcadero-
3 Lower Market (Golden Gateway) Redevelopment Area, and the negative declaration should
4 include information about the Redevelopment Area and the Redevelopment Agency's
5 jurisdiction over the proposed project; and be it further

6 MOVED, That the mitigated negative declaration should include information about the
7 proposed project and its relationship to the Redevelopment Plan and the Redevelopment
8 Area; and be it further

9 MOVED, The Planning Department should ensure that the Redevelopment Agency has
10 adequate ability to review the environmental analysis and provide information and comments
11 on the proposed project's relationship to the Redevelopment Plan and Redevelopment Area.
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City and County of San Francisco

Tails

Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 040390

Date Passed: April 13, 2004

Motion setting forth findings to disapprove the decision by the Planning Commission to issue a mitigated negative declaration for the proposed project located at 8 Washington Street.

April 6, 2004 Board of Supervisors — REFERRED: Board of Supervisors

April 13, 2004 Board of Supervisors — AMENDED, AN AMENDMENT OF THE WHOLE
BEARING SAME TITLE

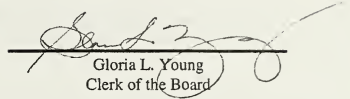
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell,
McGoldrick, Peskin, Sandoval

April 13, 2004 Board of Supervisors — APPROVED AS AMENDED

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell,
McGoldrick, Peskin, Sandoval
Noes: 1 - Hall

File No. 040390

I hereby certify that the foregoing Motion
was APPROVED AS AMENDED on April
13, 2004 by the Board of Supervisors of the
City and County of San Francisco.



Gloria L. Young
Clerk of the Board

[Office of the Legislative Analyst; Budget Consideration.]

Motion directing the Office of the Legislative Analyst to provide budget-related staff support to the Budget Committee and to provide a list of potential cost-saving measures resulting from this and other work to the Budget Committee for their consideration.

WHEREAS, The Mayor's Budget Office, the Controller, and the Board of Supervisor's Budget Analyst are currently projecting a deficit that must be closed in fiscal year 2004-2005 of approximately \$299 million; and

WHEREAS, The Board of Supervisors is responsible for the approval of the Annual Appropriation Ordinance and Annual Salary Ordinance pursuant to the San Francisco Charter; and

WHEREAS, The Office of the Legislative Analyst has staff with expertise in objective policy and budget analysis;

NOW, THEREFORE, BE IT MOVED, That effective April 15, 2004, the Board of Supervisors of the City and County of San Francisco directs the Office of the Legislative Analyst to perform the following tasks to assist with budget preparation and analysis:

1. Provide research and analysis to the Budget Committee, or to any Board member through the chair of that committee, during hearings on budget-related matters to help identify and explore potential cost-saving or other budget-related measures;
2. Provide the Budget Committee with a list of potential cost-saving measures identified throughout the budget process, including discussions with other individuals or agencies

1 within or outside of the City and County of San Francisco, and/or prior research
2 conducted by the Office of the Legislative Analyst; and

- 3 3. Any other assistance requested by the Budget Committee through the Chair of the
4 committee with respect to this year's budget process.

5
6 FURTHER MOVED, That the Office of the Legislative Analyst will prioritize such tasks
7 above Board-approved motions or individual requests made to the Office of the Legislative
8 Analyst until the Board of Supervisors adopts the FY 04-05 budget and suspend publication of
9 requested reports until August 1, 2004.



City and County of San Francisco
Tails
Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 040424

Date Passed: April 13, 2004

Motion directing the Office of the Legislative Analyst to provide budget-related staff support to the Budget Committee and to provide a list of potential cost-saving measures resulting from this and other work to the Budget Committee for their consideration.

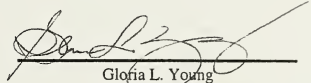
April 13, 2004 Board of Supervisors — APPROVED

Ayes: 9 - Alioto-Pier, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin,
Sandoval

Absent: 2 - Ammiano, Daly

File No. 040424

I hereby certify that the foregoing Motion
was APPROVED on April 13, 2004 by the
Board of Supervisors of the City and County
of San Francisco.



Gloria L. Young
Clerk of the Board

1 [Appointment to Police Commission.]
2

3 **Motion confirming the Mayor's nomination of, and appointing, Douglas Chan to the San**
4 **Francisco Police Commission for a term of office commencing on April 30, 2004 at**
5 **noon, with the term ending to be determined by lot.**
6

7 **MOVED**, that the Board of Supervisors of the City and County of San Francisco hereby
8 confirms the Mayor's nomination of, and appoints, Douglas Chan to the San Francisco Police
9 Commission for a term of office commencing on April 30, 2004 at noon, with the term ending
10 to be determined by lot, consistent with Section 4.109 of the City Charter.
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City and County of San Francisco

Tails Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 040223

Date Passed: April 20, 2004

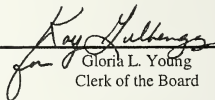
Motion confirming the Mayor's nomination of, and appointing, Douglas Chan to the San Francisco Police Commission for a term of office commencing on April 30, 2004 at noon, with the term ending to be determined by lot.

April 20, 2004 Board of Supervisors — APPROVED

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell,
McGoldrick, Peskin, Sandoval
Noes: 1 - Daly

File No. 040223

I hereby certify that the foregoing Motion
was APPROVED on April 20, 2004 by the
Board of Supervisors of the City and County
of San Francisco.


Gloria L. Young
Clerk of the Board

1 [Appointment to Police Commission.]
2

3 **Motion confirming the Mayor's nomination of, and appointing, Mr. Joseph Veronese to**
4 **the San Francisco Police Commission for a term of office commencing on April 30,**
5 **2004 at noon, with the term ending to be determined by lot.**
6

7 **MOVED,** that the Board of Supervisors of the City and County of San Francisco hereby
8 confirms the Mayor's nomination of, and appoints, Mr. Joseph Veronese to the San Francisco
9 Police Commission for a term of office commencing on April 30, 2004 at noon, with the term
10 ending to be determined by lot, consistent with Section 4.109 of the City Charter.
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City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 040224

Date Passed:

Motion confirming the Mayor's nomination of, and appointing, Joseph Veronese to the San Francisco Police Commission for a term of office commencing on April 30, 2004 at noon, with the term ending to be determined by lot.

April 20, 2004 Board of Supervisors — APPROVED

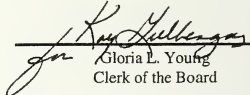
Ayes: 8 - Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Noes: 2 - Ammiano, Daly

Excused: 1 - Alioto-Pier

File No. 040224

I hereby certify that the foregoing Motion was APPROVED on April 20, 2004 by the Board of Supervisors of the City and County of San Francisco.


Gloria L. Young
Clerk of the Board

1 [Appointment to Police Commission.]
2

3 **Motion confirming the Mayor's nomination of, and appointing, Dr. Joe Marshall to the**
4 **San Francisco Police Commission for a term of office commencing on April 30, 2004 at**
5 **noon, with the term ending to be determined by lot.**
6

7 **MOVED, that the Board of Supervisors of the City and County of San Francisco hereby**
8 **confirms the Mayor's nomination of, and appoints, Dr. Joe Marshall to the San Francisco**
9 **Police Commission for a term of office commencing on April 30, 2004 at noon, with the term**
10 **ending to be determined by lot, consistent with Section 4.109 of the City Charter.**
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City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 040225

Date Passed: April 20, 2004

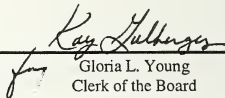
Motion confirming the Mayor's nomination of, and appointing, Dr. Joe Marshall to the San Francisco Police Commission for a term of office commencing on April 30, 2004 at noon, with the term ending to be determined by lot.

April 20, 2004 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell,
McGoldrick, Peskin, Sandoval

File No. 040225

I hereby certify that the foregoing Motion
was APPROVED on April 20, 2004 by the
Board of Supervisors of the City and County
of San Francisco.


Gloria L. Young
Clerk of the Board

1 [Appointment - Police Commission]
2

3 **Motion confirming the Rules Committee's nominations of, and appointing, Theresa**
4 **Sparks, Peter Keane and Gayle Orr-Smith to the San Francisco Police Commission for**
5 **a term of office commencing on April 30, 2004 at noon, with terms ending to be**
6 **determined by lot.**
7

8 **MOVED**, that the Board of Supervisors of the City and County of San Francisco hereby
9 confirms the Rule Committee's nomination of, and appoints, Theresa Sparks, Peter Keane
10 and Gayle Orr-Smith to the San Francisco Police Commission for a term of office
11 commencing on April 30, 2004 at noon, with the term ending to be determined by lot,
12 consistent with Section 4.109 of the City Charter.

13 Theresa Sparks, seat 1, must be nominated by the Rules Committee or its successor
14 and subject to confirmation by the Board of Supervisors, for either an initial one year, two year
15 or three year term (determined by lot) ending date to be determined.

16 Peter Keane, seat 2, must be nominated by the Rules Committee or its successor and
17 subject to confirmation by the Board of Supervisors, for either an initial one year, two year or
18 three year term (determined by lot) ending date to be determined.

19 Gayle Orr-Smith, seat 3, must be nominated by the Rules Committee or its successor
20 and subject to confirmation by the Board of Supervisors, for either an initial one year, two year
21 or three year term (determined by lot) ending date to be determined.
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City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 031919

Date Passed: April 20, 2004

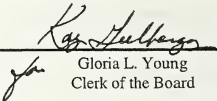
Motion confirming the Rules Committee's nominations of, and appointing, Theresa Sparks, Peter Keane and Gayle Orr-Smith to the San Francisco Police Commission for a term of office commencing on April 30, 2004 at noon, with terms ending to be determined by lot.

April 20, 2004 Board of Supervisors — APPROVED

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell,
McGoldrick, Peskin, Sandoval
Noes: 1 - Daly

File No. 031919

I hereby certify that the foregoing Motion
was APPROVED on April 20, 2004 by the
Board of Supervisors of the City and County
of San Francisco.


Gloria L. Young
Clerk of the Board

1 [Appointment to Police Commission.]
2

3 **Motion confirming the Mayor's nomination of, and appointing, Louise Renne to the San**
4 **Francisco Police Commission for a term of office commencing on April 30, 2004 at**
5 **noon, with the term ending to be determined by lot.**
6

7 **MOVED, that the Board of Supervisors of the City and County of San Francisco hereby**
8 **confirms the Mayor's nomination of, and appoints, Louise Renne to the San Francisco Police**
9 **Commission for a term of office commencing on April 30, 2004 at noon, with the term ending**
10 **to be determined by lot, consistent with Section 4.109 of the City Charter.**
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City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 040222

Date Passed: April 27, 2004

Motion confirming the Mayor's nomination of, and appointing, Louise Renne to the San Francisco Police Commission for a term of office commencing on April 30, 2004 at noon, with the term ending to be determined by lot.

April 27, 2004 Board of Supervisors — APPROVED

Ayes: 8 - Alioto-Pier, Dufty, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Noes: 3 - Ammiano, Daly, Gonzalez

File No. 040222

I hereby certify that the foregoing Motion was APPROVED on April 27, 2004 by the Board of Supervisors of the City and County of San Francisco.

A handwritten signature in cursive script, appearing to read "Gloria L. Young".

Gloria L. Young
Clerk of the Board

1 [Declaration of Emergency]

2
3 **Motion concurring in the determination of the Mayor for the continued need for the**
4 **declaration of emergency in connection with the needle exchange program.**

5
6 WHEREAS, On March 15, 1993, the Mayor declared a local emergency to exist in
7 connection with the AIDS epidemic and the high rate of HIV infection among injection drug
8 users and the corresponding high rate of transmission of the disease; and

9 WHEREAS, The Mayor directed the Department of Public Health to take immediate
10 steps to implement a needle exchange program in order to prevent the further spread of HIV
11 infection; and

12 WHEREAS, The Board of Supervisors adopted a resolution concurring in the
13 declaration of emergency and in the Mayor's directive to the Department of Public Health;
14 and

15 WHEREAS, Government Code Section 8630 requires the Board of Supervisors to
16 review the need for continuing the local emergency at least every 14 days; and

17 WHEREAS, The Mayor has determined that the conditions that gave rise to the need
18 for the declaration of emergency still exist and that the need for the declaration of emergency
19 continues; now, therefore, be it

20 MOVED, That the Board of Supervisors hereby concurs in the determination of the
21 Mayor for the continued need for the declaration of emergency in connection with the needle
22 exchange program.

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DOCUMENTS DEPT.



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 040492

Date Passed: April 27, 2004

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

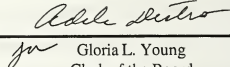
April 27, 2004 Board of Supervisors — APPROVED

Ayes: 10 - Alioto-Pier, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Absent: 1 - Ammiano

File No. 040492

I hereby certify that the foregoing Motion was APPROVED on April 27, 2004 by the Board of Supervisors of the City and County of San Francisco.


Gloria L. Young
Clerk of the Board

1 [Final Map for a 8 Lot Subdivision]

2

3 **Motion approving Final Map of Hanover/Watt, being a subdivision of Lot 1**

4 **in Assessor's Block No. 6494, and adopting findings pursuant to Planning**

5 **Code Section 101.1.**

6

7 **MOVED, That the certain map entitled "Map of Hanover/Watt," being a**

8 **subdivision of Lot 1, of Assessor's Block No. 6494, comprising 2 sheets,**

9 **approved the 21st day of April, 2004, by Department of Public Works Order No.**

10 **174,773 be and the same is hereby approved and adopted as the Official Map**

11 **of Hanover/ Watt.**

12 **FURTHER MOVED, That the San Francisco Board of Supervisors**

13 **adopts as its own and incorporates by reference herein as though fully set**

14 **forth the findings made by the Planning Department, by its letter dated July 10,**

15 **2002, that the project intended by the map is consistent with the General Plan**

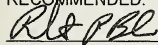
16 **and the Priority Policies of Planning Code Section 101.1.**

17 **FURTHER MOVED, That approval of this map is also contingent upon**

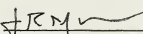
18 **compliance by the subdivider with all applicable provisions of the San**

19 **Francisco Subdivision Code and amendments thereto.**

20 **RECOMMENDED:**

21 
22 **Edwin M. Lee**
23 **Director of Public Works**

20 **DESCRIPTION APPROVED:**

21 
22 **John R. Martin, L.S.**
23 **County Surveyor**



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 040402

Date Passed: May 11, 2004

Motion approving Final Map of Hanover/Watt, being a subdivision of Lot 1 in Assessor's Block No. 6494, and adopting findings pursuant to Planning Code Section 101.1.

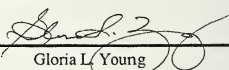
May 11, 2004 Board of Supervisors — APPROVED

Ayes: 10 - Alioto-Pier, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick,
Peskin, Sandoval

Excused: 1 - Ammiano

File No. 040402

I hereby certify that the foregoing Motion
was APPROVED on May 11, 2004 by the
Board of Supervisors of the City and County
of San Francisco.


Gloria L. Young
Clerk of the Board

1 [Zoning Appeal]
2

3 **Motion disapproving decision of the Planning Commission by its Motion No. 16742,**
4 **approving Conditional Use Application No. 2003.0080C on property located at 2599**
5 **Lombard Street.**
6

7 **MOVED, That the decision of the Planning Commission by its Motion No. 16742 dated**
8 **March 18, 2004 approving a conditional use authorization, Case No. 2003.0080C, to install four (4)**
9 **cellular antennas and related equipment on the roof of the Pacific Motor Inn, as part of Verizon**
10 **Wireless telecommunications network within the NC-3 (Moderate-scale Neighborhood Commercial)**
11 **District and a 40-X Height and Bulk District, on property located at:**

12 **2599 Lombard Street; Lot 016 in the Assessor's Block 0938,**
13

14
15 **be and the same is disapproved.**
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City and County of San Francisco

Tails Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 040427

Date Passed: May 11, 2004

Motion disapproving decision of the Planning Commission by its Motion No. 16742, approving Conditional Use Application No. 2003.0080C on property located at 2599 Lombard Street.

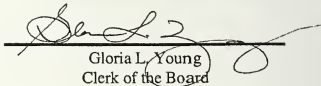
May 11, 2004 Board of Supervisors — APPROVED

Ayes: 10 - Alioto-Pier, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick,
Peskin, Sandoval

Excused: 1 - Ammiano

File No. 040427

I hereby certify that the foregoing Motion
was APPROVED on May 11, 2004 by the
Board of Supervisors of the City and County
of San Francisco.


Gloria L. Young
Clerk of the Board

1 [Findings]

2

3 Motion directing the Clerk of the Board to prepare findings relating to proposed

4 Conditional Use Application No. 2003.0080C on property located at 2599 Lombard

5 Street, for action by the Board at its next meeting.

6

7 IT IS HEREBY MOVED, That the Clerk of the Board be and he/she is hereby directed

8 to prepare findings relating to proposed Conditional Use Application No. 2003.0080C on

9 property located at 2599 Lombard Street, for action by the Board at its next meeting.

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City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 040428

Date Passed: May 11, 2004

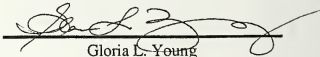
Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2003.0080C on property located at 2599 Lombard Street, for action by the Board at its next meeting.

May 11, 2004 Board of Supervisors — APPROVED

Ayes: 10 - Alioto-Pier, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick,
Peskin, Sandoval
Excused: 1 - Ammiano

File No. 040428

I hereby certify that the foregoing Motion
was APPROVED on May 11, 2004 by the
Board of Supervisors of the City and County
of San Francisco.


Gloria L. Young
Clerk of the Board

1 [Declaration of Emergency]

2
3 **Motion concurring in the determination of the Mayor for the continued need for the**
4 **declaration of emergency in connection with the needle exchange program.**

5
6 WHEREAS, On March 15, 1993, the Mayor declared a local emergency to exist in
7 connection with the AIDS epidemic and the high rate of HIV infection among injection drug
8 users and the corresponding high rate of transmission of the disease; and

9 WHEREAS, The Mayor directed the Department of Public Health to take immediate
10 steps to implement a needle exchange program in order to prevent the further spread of HIV
11 infection; and

12 WHEREAS, The Board of Supervisors adopted a resolution concurring in the
13 declaration of emergency and in the Mayor's directive to the Department of Public Health;
14 and

15 WHEREAS, Government Code Section 8630 requires the Board of Supervisors to
16 review the need for continuing the local emergency at least every 14 days; and

17 WHEREAS, The Mayor has determined that the conditions that gave rise to the need
18 for the declaration of emergency still exist and that the need for the declaration of emergency
19 continues; now, therefore, be it

20 MOVED, That the Board of Supervisors hereby concurs in the determination of the
21 Mayor for the continued need for the declaration of emergency in connection with the needle
22 exchange program.

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DOCUMENTS DEPT.

AUG 11 2004



City and County of San Francisco

Tails Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 040530

Date Passed: May 11, 2004

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

May 11, 2004 Board of Supervisors — APPROVED

Ayes: 10 - Alioto-Pier, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Excused: 1 - Ammiano

File No. 040530

I hereby certify that the foregoing Motion was APPROVED on May 11, 2004 by the Board of Supervisors of the City and County of San Francisco.

A handwritten signature in dark ink, appearing to read "Gloria L. Young", written over a horizontal line.

Gloria L. Young
Clerk of the Board

FILE NO. 040536

MOTION NO. M04-57

MOTION

(Audit Priorities)

Adopting a proposed schedule of audits to be conducted of programs of City and County departments.

WHEREAS, It is the policy of the Board of Supervisors that each program of the City and county of San Francisco be the subject of a performance or management audit at least once every eight years; and

WHEREAS, The function of regular audits is to ensure that city departments and agencies make prudent and efficient use of city resources and also effectively perform the functions assigned to them by the charter and applicable laws; and

WHEREAS, Rule 6.18 of the Rules of Order outlines the criteria to be used in developing the proposed audit schedule, and those priorities include programs that have never undergone a management audit as well as programs that have gone the longest period of time since their last management audit; and

WHEREAS, The Board of Supervisors has reviewed the schedule and has approved a schedule which the Board believes will result in audit findings which will be most effective in improving services to the people of San Francisco; now, therefore, be it

MOVED, That the Budget Analyst is hereby directed to include in its schedule of audits, in the following order of priority, the Public Utilities Commission on a work order basis at a cost not to exceed \$500,000 in FY 2004-2005, ~~the Health Service System~~ and the Recreation and Parks Department; and, be it

Supervisor Daly

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AUG 11 2004

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1 **FURTHER MOVED**, That the Budget Analyst is authorized to initiate
2 focused special projects to the extent that staff resources are available and if
3 there are no pending special project assignments as directed by the Board of
4 Supervisors, after informing the President of the Board of Supervisors and the
5 Chair of the Rules Finance and Audits Committee.



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 040536

Date Passed: May 18, 2004

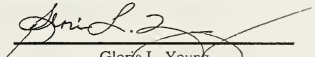
Motion adopting a proposed schedule of audits to be conducted of programs of City and County departments.

May 18, 2004 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell,
McGoldrick, Peskin, Sandoval

File No. 040536

I hereby certify that the foregoing Motion
was APPROVED on May 18, 2004 by the
Board of Supervisors of the City and County
of San Francisco.


Gloria L. Young
Clerk of the Board

[Authorizing lease payment for computer equipment to be used by Budget Analyst.]

Motion authorizing the Clerk of the Board to make three annual lease payments in the amount of \$ 6,973.29, and to make a one-time payment in fiscal year 03-04 for sales tax of \$1,748.93, for the lease of computer equipment to be used by the Budget Analyst; and authorizing the Clerk of the Board to deduct \$ 22,324.60 from payment of the amount owed the Budget Analyst under the contract between the Board of Supervisors and the Budget Analyst.

WHEREAS, the Budget Analyst is in need of new desktop computers and those computers must be compatible with the computer systems used by the City and County of San Francisco; and,

WHEREAS, the Department of Telecommunications and Information Services (DTIS) has agreed to add the Budget Analyst's computer order to an existing City lease; and,

WHEREAS, the transaction is cost neutral to the City, as the equipment will be leased through a reduction in the contract payment to the Budget Analyst, and the equipment will be the property of the City until the lease expires; and

WHEREAS, the terms of the lease between Dell and the City and County of San Francisco DTIS are contained in said lease, on file with the Clerk of the Board of Supervisors in File No. 040615, which is hereby declared to be a part of this motion as if set forth fully herein; and,

WHEREAS, the terms of the lease provide for a one time payment of \$1,748.93 in Fiscal Year 2003-04 representing sales tax, and for payments annually for three years, beginning July of 2004, in the amount of \$6,973.29, for a total expenditure under the lease of \$22,324.61; and

SUPERVISOR PESKIN
BOARD OF SUPERVISORS

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AUG 11 2004

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5/13/2004

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1 WHEREAS, the Budget Analyst has requested that the Budget Analyst contract
2 payments be reduced and funds be work-ordered to the DTIS in accordance with the following
3 schedule:

4	May, 2004	\$1,748.93	Sales Tax payment
5	July, 2004	6,973.29	Annual lease payment
6	July, 2005	6,973.29	Annual lease payment
7	July, 2006	6,973.29	Annual lease payment

8 now, therefore, be it

9 Moved, That the Clerk of the Board, pursuant to the lease agreement between Dell and
10 the City and County of San Francisco DTIS, is authorized to make a one time payment of
11 \$1,748.93 in May of 2004 and three annual lease payments of \$6,973.29 beginning in July,
12 2004, and to reduce the Board's payments to the Budget Analyst in those same amounts.



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 040615

Date Passed: May 18, 2004


Motion authorizing the Clerk of the Board to make three annual lease payments in the amount of \$6,973.29, and to make a one-time payment in fiscal year 03-04 for sales tax of \$1,748.93, for the lease of computer equipment to be used by the Budget Analyst; and authorizing the Clerk of the Board to deduct \$22,324.60 from payment of the amount owed the Budget Analyst under the contract between the Board of Supervisors and the Budget Analyst.

May 18, 2004 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell,
McGoldrick, Peskin, Sandoval

File No. 040615

I hereby certify that the foregoing Motion
was APPROVED on May 18, 2004 by the
Board of Supervisors of the City and County
of San Francisco.


Gloria L. Young
Clerk of the Board

1 [Findings]

2
3 Motion directing the Clerk of the Board to prepare findings relating to proposed
4 Conditional Use Application No. 1999.0233C on property located at 833-881 Jamestown
5 Avenue, for action by the Board at its next meeting.
6

7 IT IS HEREBY MOVED, That the Clerk of the Board be and he/she is hereby directed
8 to prepare findings relating to proposed Conditional Use Application No. 1999.0233C on
9 property located at 833-881 Jamestown Avenue, for action by the Board at its next meeting.
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Clerk of the Board
BOARD OF SUPERVISORS

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AUG 11 2004

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4/29/2004

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City and County of San Francisco

Tails Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 040488

Date Passed: May 25, 2004

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 1999.0233C on property located at 833-881 Jamestown Avenue, for action by the Board at its next meeting.

May 18, 2004 Board of Supervisors — CONTINUED

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Gonzalez, Hall, Ma, Maxwell, Peskin,
Sandoval

Absent: 2 - Dufty, McGoldrick

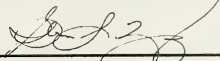
May 25, 2004 Board of Supervisors — APPROVED

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell,
McGoldrick, Peskin, Sandoval

Excused: 1 - Hall

File No. 040488

I hereby certify that the foregoing Motion
was APPROVED on May 25, 2004 by the
Board of Supervisors of the City and County
of San Francisco.

A handwritten signature in black ink, appearing to read 'Gloria L. Young', is written over a horizontal line.

Gloria L. Young
Clerk of the Board

1 [Minor Sidewalk Encroachment Appeal]

2
3 **Motion approving the decision of the Director of Public Works' approval of a Minor**
4 **Sidewalk Encroachment Permit at 32 Rivoli Street and denying the appeal.**

5
6 **MOVED,** That pursuant to applicable provisions of Section 723.2 of the Public Works
7 Code, the decision of the Director of Public Works dated April 14, 2004, to grant Shelley L.
8 Pope a minor sidewalk encroachment permit to legalize the construction of a new warped
9 driveway and planter box extending 19-inches into the public right-of-way to provide for a new
10 garage at 32 Rivoli Street, be and the same is hereby approved and the appeal is denied.



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 040567

Date Passed: May 25, 2004

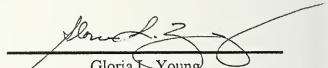
Motion approving the decision of the Director of Public Works' approval of a Minor Sidewalk Encroachment Permit at 32 Rivoli Street and denying the appeal.

May 25, 2004 Board of Supervisors — APPROVED

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, Peskin,
Sandoval
Absent: 1 - McGoldrick
Excused: 1 - Hall

File No. 040567

I hereby certify that the foregoing Motion
was APPROVED on May 25, 2004 by the
Board of Supervisors of the City and County
of San Francisco.



Gloria L. Young
Clerk of the Board

1 [Declaration of Emergency]

2
3 Motion concurring in the determination of the Mayor for the continued need for the
4 declaration of emergency in connection with the needle exchange program.
5

6 WHEREAS, On March 15, 1993, the Mayor declared a local emergency to exist in
7 connection with the AIDS epidemic and the high rate of HIV infection among injection drug
8 users and the corresponding high rate of transmission of the disease; and

9 WHEREAS, The Mayor directed the Department of Public Health to take immediate
10 steps to implement a needle exchange program in order to prevent the further spread of HIV
11 infection; and

12 WHEREAS, The Board of Supervisors adopted a resolution concurring in the
13 declaration of emergency and in the Mayor's directive to the Department of Public Health; and

14 WHEREAS, Government Code Section 8630 requires the Board of Supervisors to
15 review the need for continuing the local emergency at least every 14 days; and

16 WHEREAS, The Mayor has determined that the conditions that gave rise to the need
17 for the declaration of emergency still exist and that the need for the declaration of emergency
18 continues; now, therefore, be it

19 MOVED, That the Board of Supervisors hereby concurs in the determination of the
20 Mayor for the continued need for the declaration of emergency in connection with the needle
21 exchange program.
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City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 040640

Date Passed: May 25, 2004

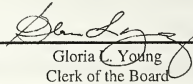
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

May 25, 2004 Board of Supervisors — APPROVED

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell,
McGoldrick, Peskin, Sandoval
Excused: 1 - Hall

File No. 040640

I hereby certify that the foregoing Motion
was APPROVED on May 25, 2004 by the
Board of Supervisors of the City and County
of San Francisco.


Gloria C. Young
Clerk of the Board

1 [Adopting findings related to the conditional use appeal on property located at 2599 Lombard
2 Street.]

3 **Motion adopting findings related to the appeal of the Planning Commission's approval**
4 **of a conditional use authorization, Case No. 2003.0080C, to install four (4) cellular**
5 **antennas and related equipment on the roof of the Pacific Motor Inn, as part of Verizon**
6 **Wireless telecommunications network within an NC-3 (Moderate-scale Neighborhood**
7 **Commercial) District and a 40-X Height and Bulk District, on property located at 2599**
8 **Lombard Street; Lot 016 in the Assessor's Block 0938.**
9

10 The appellant, Mary Irene Zamanek, filed a timely appeal on April 12, 2004, protesting
11 the approval by the Planning Commission of an application for a conditional use authorization
12 (Conditional Use Application No. 2003.0080C, approved by Planning Commission Motion No.
13 16742 dated March 18, 2004), pursuant to Planning Code Sections 712.83 and 790.80, to
14 authorize the installation of four (4) cellular antennas and related equipment on the roof of the
15 Pacific Motor Inn, as part of Verizon Wireless telecommunications network within an NC-3
16 (Moderate-scale Neighborhood Commercial) District and a 40-X Height and Bulk District, on
17 property located at 2599 Lombard Street; Lot 016 in the Assessor's Block 0938.

18 The San Francisco Planning Commission adopted the Wireless Telecommunications
19 Services ("WTS") Facilities Siting Guidelines in August of 1996 ("Guidelines") to assist the
20 Planning Department in its consideration of applications for conditional use authorization to
21 install WTS facilities. These Guidelines are not binding on the Board of Supervisors. The
22 Guidelines establish location preferences for installation of WTS facilities throughout the City.
23 The location preferences set forth seven categories, with location preference one being the
24 most preferred sites, and location preference seven being the most disfavored sites. The
25 property located at 2599 Lombard Street falls within a location preference four because it is

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1 wholly commercial structure within an NC-3 Zoning District and the applicant will not remove
2 any visual obstructions as part of the installation. The area immediately surrounding the
3 commercial district on Lombard Street where the property is located is predominately
4 residential and falls with a location preference seven.

5 On May 11, 2004, the Board of Supervisors conducted a duly noticed public hearing on
6 the appeal from the Planning Commission's approval of the conditional use authorization
7 referred to in the first paragraph of this motion. Following the conclusion of the public hearing
8 on May 11, 2004, the Board voted to disapprove the decision of the Planning Commission
9 (Planning Commission Motion No. 16742 dated March 18, 2004) and denied the issuance of
10 the requested Conditional Use Application No. 2003.0080C by a vote of ten to zero.

11 In considering the appeal of the approval of the requested conditional use
12 authorization, the Board reviewed and considered the written record before the Board and all
13 of the public comments made in support of and in opposition to the appeal.

14 NOW, THEREFORE, BE IT MOVED, That the Board of Supervisors of the City and
15 County of San Francisco hereby adopts as its own and incorporates by reference herein, as
16 though fully set forth, the findings made by the Planning Commission in its Motion No. 16742
17 dated March 18, 2004, except as indicated below.

18 FURTHER MOVED, That the Board of Supervisors further took notice that the project
19 was categorically exempt from environmental review. The Board finds that there have been
20 no substantial changes in project circumstances and no new information of substantial
21 importance that would change the determination of categorical exemption issued by the
22 Planning Commission.

23 FURTHER MOVED, That the Board of Supervisors finds that:

24 1. The written and oral information provided by the applicant to the Board was not
25 persuasive or objectively verified, and the applicant was unable to demonstrate credibly that

1 the proposed WTS facility is necessary for the neighborhood or the community, contrary to the
2 requirements of Section 303(c)(1) of the Planning Code.

3 2. The public testimony at the public hearing and the public documentation
4 submitted in support of the appellant's objections to the decision of the Planning Commission
5 supported the appellant's position that there is no necessity for the proposed WTS facility to
6 be approved and installed for residential or business purposes in the neighborhood or the
7 community because the proposed WTS facility is not necessary to meet the applicant's
8 present service demands within the geographic service area defined by the applicant.

9 3. The written and oral information provided by the applicant at the May 11, 2004,
10 public hearing showed that, according to the applicant, the proposed WTS facility would
11 provide additional capacity to meet the present demand for its services in the geographic
12 service area defined by the applicant, or the growth in demand for its services, which
13 applicant claims has doubled in the last two years and is significantly faster than other parts of
14 the City. According to the applicant, the proposed WTS facility would also improve the
15 performance of the next generation of wireless voice and data network services offered by the
16 applicant in the geographic service area defined by the applicant.

17 4. Notwithstanding this information submitted by the applicant, the written and oral
18 information provided by the appellant and her supporters at the May 11, 2004, public hearing
19 showed that the applicant presently provides acceptable service in the geographic service
20 area defined by the applicant from the applicant's existing WTS facilities in the vicinity of the
21 proposed WTS facility.

22 5. The public testimony at the public hearing and the public documentation
23 submitted in support of the appellant's objections to the decision of the Planning Commission
24 also supported the appellant's position that there is no necessity for the proposed WTS facility
25 to be approved and installed for residential or business purposes in the neighborhood or the

1 community because other wireless carriers that are competitors of the applicant also provide
2 adequate service in the vicinity of the proposed WTS facility.

3 6. The public testimony at the public hearing and the public documentation
4 submitted in support of the appellant's objections to the decision of the Planning Commission
5 supported the appellant's position that the location of the proposed WTS facility is
6 incompatible with the existing character of the neighborhood, contrary to the requirements of
7 Section 303(c)(1) of the Planning Code.

8 7. The written and oral information provided by the appellant and her supporters at
9 the May 11, 2004, public hearing showed that: (i) the area surrounding the proposed WTS
10 facility is predominately residential; (ii) the equipment that would be installed on the roof as
11 part of the proposed WTS facility is unsightly; and (iii) noise from the equipment would likely
12 disturb people living in the adjacent building.

13 8. The public testimony at the public hearing and the public documentation
14 submitted in support of the appellant's objections to the decision of the Planning Commission
15 supported the appellant's position that the location of the proposed WTS facility is undesirable
16 for the neighborhood or the community, contrary to the requirements of Section 303(c)(1) of
17 the Planning Code. Many people living in the vicinity attended the Board hearing and
18 expressed their overwhelming opposition to the proposed WTS facility. Many others sent
19 letters and emails to the Board, and hundreds of others signed petitions, opposing the
20 proposed WTS facility. Despite the applicant's extensive efforts to garner support, the
21 applicant was unable to sufficiently demonstrate that people living in the vicinity of the
22 proposed WTS facility supported the application.

23 9. There is nothing in the record to suggest that the Board's decision to disapprove
24 the decision of the Planning Commission in this case will unreasonably discriminate against
25 the applicant in favor of providers of functionally equivalent services.

1 10. There is nothing in the record to suggest that the Board's decision to disapprove
2 the decision of the Planning Commission in this case will limit or prohibit access to wireless
3 telecommunications services in the geographic service area of the proposed WTS facility.

4 11. There is nothing in the record to suggest that the Board's decision to disapprove
5 the decision of the Planning Commission in this case will prevent the filling of a significant gap
6 in wireless telecommunications services provided to remote users of those services in the
7 geographic service area of the proposed WTS facility, whether those remote users obtain
8 service from the applicant or from other wireless telecommunications carriers serving the City.

9 12. There is nothing in the record to suggest that the applicant exhausted its efforts to
10 locate an alternative site for the proposed WTS facility or that the proposed WTS facility is the
11 least intrusive means for the applicant to improve its service quality and/or to meet future
12 demand for its services in the geographic service area identified by the applicant.

13 13. In the written and oral information provided at the May 11, 2004, public hearing,
14 members of the public expressed concern that radio frequency emissions from the proposed
15 WTS facility would have adverse health effects on persons residing in the vicinity. In making
16 these statements, members of the public exercised their constitutional right to petition the
17 government. However, there is evidence in the record that the proposed WTS facility would
18 comply with Federal Communications Commission ("FCC") safety standards for exposure to
19 radio frequency emissions. There is also evidence that as a condition of approval of the
20 conditional use the applicant would have been required to verify that radio frequency
21 emissions were within FCC standards after the proposed WTS facility was installed and
22 operational. Thus, in disapproving the decision of the Planning Commission and denying the
23 issuance of the requested conditional use authorization, the Board has not relied on the public
24 testimony or public documentation concerning this issue and the Board has not based its
25 determination on such a ground.

1 FURTHER MOVED, That based upon the findings made in the preceding paragraphs,
2 the Board of Supervisors finds that Finding 9 made by the Planning Commission was incorrect
3 and without substantiation. The Board finds that the installation of the proposed WTS facility
4 is not necessary for the neighborhood or the community. The applicant is able to adequately
5 provide service to the neighborhood and the community from its existing WTS facilities in the
6 geographic service area of the proposed WTS facility. In addition, other wireless
7 telecommunications carriers that are competitors of the applicant are able to provide adequate
8 service in the neighborhood and the community from their existing WTS facilities in the
9 geographic service area of the proposed WTS facility

10 FURTHER MOVED, That based upon the findings made in the preceding paragraphs,
11 the Board of Supervisors finds that Finding 9 made by the Planning Commission was incorrect
12 and without substantiation. The Board finds that the installation of the proposed WTS facility
13 is not desirable for and compatible with the neighborhood or the community. The construction
14 of the proposed WTS facility will result in an additional intrusion of unnecessary, noticeable
15 equipment into a neighborhood that contains a high proportion of residential property. The
16 proposed WTS facility is not generally in harmony with neighborhood character.

17 FURTHER MOVED, That based upon the findings made in the preceding paragraphs,
18 the Board of Supervisors finds that Finding 10 made by the Planning Commission was
19 incorrect and without substantiation. The Board finds that the installation of the proposed
20 WTS facility is not in conformity with, and will not implement the policies of, the City's General
21 Plan, in that the installation of the proposed WTS facility will not further any of the objectives
22 referred to by the Planning Commission.

23 FURTHER MOVED, That based upon the findings made in the preceding paragraphs,
24 the Board of Supervisors finds that Finding 11 made by the Planning was incorrect and
25 without substantiation. The Board finds that the installation of the proposed WTS facility is not

1 in conformity with the priority planning policies established by Section 101.1(b) of the Planning
2 Code because the proposed WTS facility: (i) is not necessary to preserve and enhance
3 existing neighborhood-serving retail uses and to preserve and enhance future opportunities
4 for resident employment in and ownership of such businesses (see Section 101.1(b)(1)); (ii) is
5 not necessary to conserve and protect existing housing and neighborhood character (see
6 Section 101.1(b)(2)); (iii) is not necessary to preserve and enhance the City's supply of
7 affordable housing (see Section 101.1(b)(3)); (iv) may increase commuter traffic and impede
8 and overburden the streets (see Section 101.1(b)(4)); (v) is not necessary to maintain a
9 diverse economic base by protecting the City's industrial and service sectors from
10 displacement due to commercial office development or to enhance future opportunities for
11 resident employment and ownership in these sectors (see Section 101.1(b)(5)); (vi) is not
12 necessary to add to the City's preparedness to protect against injury and loss of life in an
13 earthquake (see Section 101.1(b)(6)); (vii) is not necessary to preserve any landmarks and
14 historic buildings (see Section 101.1(b)(7)); and (viii) is not necessary to protect City parks
15 and open space and their access to sunlight and vistas from development (see Section
16 101.1(b)(8)).

17 FURTHER MOVED, That based upon the findings made in the preceding paragraphs,
18 the Board of Supervisors finds that Finding 12 made by the Planning Commission was
19 incorrect and without substantiation, and the Board finds that the conditional use authorization
20 will not promote the health, safety and welfare of the City, and will only add an unnecessary
21 and redundant service and will result in an additional intrusion of unnecessary, noticeable
22 equipment into a neighborhood that contains a high proportion of residential property.

23 FURTHER MOVED, That the Board of Supervisors, after carefully balancing the
24 competing public and private interests, disapproved the decision of the Planning Commission
25

1 by its Motion No. 16742 dated March 18, 2004, and denied the issuance of Conditional Use
2 Authorization No. 2003.0080C.
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City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails

Motion

File Number: 040675

Date Passed:

Motion adopting findings related to the appeal of the Planning Commission's approval of a conditional use authorization, Case No. 2003.0080C, to install four (4) cellular antennas and related equipment on the roof of the Pacific Motor Inn, as part of Verizon Wireless telecommunications network within an NC-3 (Moderate-scale Neighborhood Commercial) District and a 40-X Height and Bulk District, on property located at 2599 Lombard Street; Lot 016 in the Assessor's Block 0938.

May 18, 2004 Board of Supervisors — REFERRED: Board of Supervisors

May 25, 2004 Board of Supervisors — APPROVED

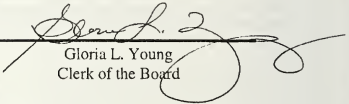
Ayes: 9 - Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Peskin,
Sandoval

Absent: 1 - Alioto-Pier

Excused: 1 - Hall

File No. 040675

I hereby certify that the foregoing Motion
was APPROVED on May 25, 2004 by the
Board of Supervisors of the City and County
of San Francisco.



Gloria L. Young
Clerk of the Board

[Final Map for a 12 Unit Residential Condominium Project]


Motion approving Final Map of 348 Hyde Street, A Residential Condominium Project, being a subdivision of Lot 20 in Assessor's Block No. 334, and adopting findings pursuant to Planning Code Section 101.1.

MOVED, That the certain map entitled "Map of 348 Hyde Street, A Residential Condominium Project," being a subdivision of Lot 20, Portion of Assessor's Block No. 334, comprising 5 sheets, approved the 19th day of May, 2004 by Department of Public Works Order No. 174,809, be and the same is hereby approved and adopted as the Official Map of 348 Hyde Street, A Residential Condominium Project.

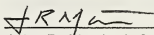
FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the Planning Department, by its letter dated August 14, 2002, that the project intended by the map is consistent with the General Plan and the Priority Policies of Planning Code Section 101.1.

FURTHER MOVED, That approval of this map is also contingent upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

RECOMMENDED:


Edwin M. Lee
Director of Public Works

DESCRIPTION APPROVED:


John R. Martin, L.S.
County Surveyor



City and County of San Francisco

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San Francisco, CA 94102-4689

Tails Motion

File Number: 040662

Date Passed: June 8, 2004

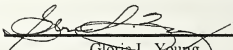
Motion approving Final Map of 348 Hyde Street, A Residential Condominium Project, being a subdivision of Lot 20 in Assessor's Block No. 334, and adopting findings pursuant to Planning Code Section 101.1.

June 8, 2004 Board of Supervisors — APPROVED

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell,
McGoldrick, Peskin, Sandoval
Excused: 1 - Hall

File No. 040662

I hereby certify that the foregoing Motion
was APPROVED on June 8, 2004 by the
Board of Supervisors of the City and County
of San Francisco.


Gloria L. Young
Clerk of the Board

1 [Declaration of Emergency]

2
3 **Motion concurring in the determination of the Mayor for the continued need for the**
4 **declaration of emergency in connection with the needle exchange program.**
5

6 WHEREAS, On March 15, 1993, the Mayor declared a local emergency to exist in
7 connection with the AIDS epidemic and the high rate of HIV infection among injection drug
8 users and the corresponding high rate of transmission of the disease; and

9 WHEREAS, The Mayor directed the Department of Public Health to take immediate
10 steps to implement a needle exchange program in order to prevent the further spread of HIV
11 infection; and

12 WHEREAS, The Board of Supervisors adopted a resolution concurring in the
13 declaration of emergency and in the Mayor's directive to the Department of Public Health;
14 and

15 WHEREAS, Government Code Section 8630 requires the Board of Supervisors to
16 review the need for continuing the local emergency at least every 14 days; and

17 WHEREAS, The Mayor has determined that the conditions that gave rise to the need
18 for the declaration of emergency still exist and that the need for the declaration of emergency
19 continues; now, therefore, be it

20 MOVED, That the Board of Supervisors hereby concurs in the determination of the
21 Mayor for the continued need for the declaration of emergency in connection with the needle
22 exchange program.
23
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25

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City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 040678

Date Passed: June 8, 2004

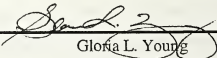
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

June 8, 2004 Board of Supervisors — APPROVED

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell,
McGoldrick, Peskin, Sandoval
Excused: 1 - Hall

File No. 040678

I hereby certify that the foregoing Motion
was APPROVED on June 8, 2004 by the
Board of Supervisors of the City and County
of San Francisco.


Gloria L. Young
Clerk of the Board

1 [Committee of the Whole.]
2

3 **Motion scheduling a Committee of the whole to consider health service reductions**
4 **(Bielenson Hearing), to be held on June 15, 2004 at 3:00 p.m.**
5

6 **MOVED, That the Board of Supervisors convene as a Committee of the Whole to**
7 **consider health service reductions on June 15, 2004 at 3:00 p.m.**
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Supervisor Sandoval
BOARD OF SUPERVISORS

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City and County of San Francisco

City Hall
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San Francisco, CA 94102-4689

Tails Motion

File Number: 040679

Date Passed: June 8, 2004

Motion scheduling a Committee of the Whole to consider health service reductions (Bielenson Hearing), to be held on June 15, 2004 at 3:00 p.m.

June 8, 2004 Board of Supervisors — APPROVED


Ayes: 6 - Alioto-Pier, Dufty, Ma, McGoldrick, Peskin, Sandoval

Noes: 4 - Ammiano, Daly, Gonzalez, Maxwell

Excused: 1 - Hall

File No. 040679

I hereby certify that the foregoing Motion
was APPROVED on June 8, 2004 by the
Board of Supervisors of the City and County
of San Francisco.


Gloria L. Young
Clerk of the Board

1 [Zoning Appeal – 833-881 Jamestown Avenue.]
2

3 Motion disapproving decision of the Planning Commission by its Motion No. 16755,
4 which approved Conditional Use Application 1999.0233C on property located 833-881
5 Jamestown Avenue, and approving the issuance of Conditional Use Application
6 2002.0628CEKVX on property located at 833-881 Jamestown Avenue, subject to all of
7 the conditions imposed by the Planning Commission, and further subject to additional
8 conditions imposed by the Board of Supervisors on May 18, 2004.
9

10 MOVED, That the decision of the Planning Commission by its Motion No. 16755, dated
11 March 25, 2004, approving Conditional Use Application No. 1999.0233C, subject to certain
12 conditions, for a Planned Unit Development with up to 198 dwelling units and 216 off-street
13 parking spaces within an RH-2 (Residential, House, Two-Family) Use District and a 40-X
14 Height and Bulk District, on property located at:

15 833-881 Jamestown Avenue, west of Candlestick park at the northern base
16 of Bayview Hill; Lot 277 in the Assessor's Block 4991,

17 is hereby disapproved.
18

19 FURTHER MOVED, That the Board of Supervisors hereby approves the issuance of
20 Conditional Use Application 1999.0233C on property located at 833-881 Jamestown Avenue,
21 subject to all of the conditions imposed by the Planning Commission in its Motion No. 16755,
22 dated March 25, 2004, and further subject to the modification of those conditions imposed by
23 the Board of Supervisors on May 18, 2004, with the stipulation of appellant Ralph D. House,
24 President of the Bayview Hill Neighborhood Association, and project sponsor Jamestown
25 Avenue Associates, those modified conditions being:

Clerk of the Board
BOARD OF SUPERVISORS

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1 1. Jamestown Ave. Associates will plant street trees of the same size and species
2 along both sides of Jamestown Avenue in front of the project site.

3 2. Jamestown Avenue Associates will cooperate with the appellants to install traffic
4 calming improvements to Jamestown Avenue, such as a new median, subject to city
5 approvals and as more fully described in #5 below.

6 3. Jamestown Avenue Associates will improve Coronado Street for park use as it has
7 proposed, subject to appropriate City approval:

- 8 a) Jamestown Avenue Associates will obtain permits to improve Coronado
9 Street as it has proposed, with the City retaining land ownership, as
10 approved by the City Attorney
- 11 b) Jamestown Avenue Associates will remove existing parking spaces
12 adjacent to 860 Jamestown Avenue.
- 13 c) Jamestown Avenue associates will build a new sidewalk on the northern
14 side of Jamestown Avenue as it passes in front of Coronado Street.
- 15 d) Jamestown Avenue Associates will plant vegetation in place of existing
16 parking spaces adjacent to 860 Jamestown Avenue.
- 17 e) Jamestown Avenue Associates will install bollards across both ends of
18 Coronado Street – where it meets Jamestown avenue at the uphill end
19 and where it meets Ingerson Street at the downhill end —such that
20 pedestrians may pass but cars cannot park.
- 21 f) Jamestown Avenue Associates will add more vegetation to its proposed
22 landscaping, pending recommendations/approval by appropriate City
23 agencies.
- 24 g) Jamestown Avenue Associates will work with the Department of Public
25 Works to offer the park improvements to the Recreation and Parks

Department for assumption of responsibility for ongoing street maintenance and liability;

4. Jamestown Avenue Associates will offer to install identical street lights on both sides of Jamestown Avenue, subject to appropriate City approval;

5. Jamestown Avenue Associates will work with all relevant city agencies including the Department of Parking & Traffic, the Department of Public Works and the Police Department – as well as with neighboring landowners – which include the San Francisco Forty-Niners – to adopt a plan for the city redesign of Jamestown Avenue, both in front of the project site and to the east and west, which will include traffic-calming measures;

6. Jamestown Avenue Associates will install no less than a 10' sidewalk and up to a 15' wide sidewalk directly in front of the project site and extending eastward to a point opposite the intersection of Gilroy Street, subject to appropriate City approval; and

7. Jamestown Avenue Associates will change the project façade along Jamestown Avenue to make it appear that there are fewer units per building by removing four penthouses, altering porch entryways to double-entryways, painting each 25-foot building segment and entryway a different color and adding a vertical "line" element to separate each 25-foot building segment.

FURTHER MOVED, That the Board of Supervisors pursuant to the California Environmental Quality Act ("CEQA")), California Public Resources Code § 21000 et seq., and the CEQA Guidelines, California Code of Regulations, Title 14, § 15000 et seq., has reviewed and relied upon the final mitigated negative declaration adopted by the San Francisco Planning Commission on March 25, 2004, as the basis of its actions. In exercising its independent judgment, this Board concurs with and adopts the findings and conclusions made in the negative declaration and incorporates said findings and conclusions as though fully set forth herein and finds that based on substantial evidence in light of the whole record this

1 project will not have a significant effect on the environment. The negative declaration and
2 findings are on file with the Clerk of the Board in File No. 040524.
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City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 040487

Date Passed: May 25, 2004

Motion disapproving decision of the Planning Commission by its Motion No. 16755, approving Conditional Use Application No. 1999.0233C on property located at 833-881 Jamestown Avenue.

May 18, 2004 Board of Supervisors — CONTINUED

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Gonzalez, Hall, Ma, Maxwell, Peskin,
Sandoval
Absent: 2 - Dufty, McGoldrick

May 25, 2004 Board of Supervisors — AMENDED, AN AMENDMENT OF THE WHOLE
BEARING SAME TITLE

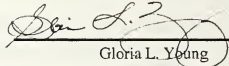
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell,
McGoldrick, Peskin, Sandoval
Excused: 1 - Hall

May 25, 2004 Board of Supervisors — APPROVED AS AMENDED

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell,
McGoldrick, Peskin, Sandoval
Excused: 1 - Hall

File No. 040487

I hereby certify that the foregoing Motion
was APPROVED AS AMENDED on May 25,
2004 by the Board of Supervisors of the City
and County of San Francisco.



Gloria L. Young
Clerk of the Board

[Affirm certification of the final environmental impact report for the Transbay Terminal.]

Motion affirming the Planning Commission certification of the final environmental impact report for the Transbay Terminal/Caltrain Downtown Extension/Redevelopment Project.

WHEREAS, The Transbay Joint Powers Authority is the project sponsor for the reconstruction of the Transbay Terminal, which is located at 425 Mission Street; Caltrain Downtown Extension; and various related actions (the "Transbay Terminal Component"). The project also includes the Transbay Redevelopment Plan, which is jointly sponsored by the City and County of San Francisco and the San Francisco Redevelopment Agency. (The Transbay Terminal Component and the Transbay Redevelopment Plan shall be collectively referred to herein as the "Project".); and

WHEREAS, Upon initiation of the environmental review for the Project, the San Francisco Planning Department (the "Department") determined that an environmental impact report ("EIR") was required, created City Planning File No. 2000.048E, and provided public notice of that determination by publication in a newspaper of general circulation on March 17, 2001. The EIR has three co-lead agencies: the City and County of San Francisco, the San Francisco Redevelopment Agency, and the Peninsula Corridor Joint Powers Board ("JPB"); and

WHEREAS, Because the Transbay Terminal Component will obtain funding from the Federal Transit Administration (the "FTA"), and due to the potential environmental impacts of the Transbay Terminal Component, the FTA determined that a federal environmental impact statement ("EIS") was required. On March 28, 2001, the FTA published in the federal register a notice of intent to prepare an EIS; and

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AUG 11 2004

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1 WHEREAS, The three co-lead agencies and the FTA agreed to combine the federal
2 and State environmental review documents into a single joint EIS/EIR; and

3 WHEREAS, On October 5, 2002, the Department published a draft EIS/EIR and
4 provided notice of the availability of the document for public review and comment. A copy of
5 said document is on file with the Clerk of the Board of Supervisors in File No. 040616 and is
6 incorporated herein by reference; and

7 WHEREAS, On November 26, 2002, the Planning Commission (the "Commission")
8 held a duly noticed public hearing on the draft EIS/EIR. The Redevelopment Agency, on
9 November 11, 2002, and the JPB staff, on November 13, 2002, each held an additional duly
10 noticed public hearing on the draft EIS/EIR; and

11 WHEREAS, On December 20, 2002, the 77-day public comment period on the draft
12 EIS/EIR ended; and

13 WHEREAS, On March 28, 2003, in Resolution No. 03-001, the Transbay Joint Powers
14 Authority, following FTA guidelines and regulations, adopted the locally preferred alternative
15 for inclusion in the Final EIS/EIR. The locally preferred alternative consists of the "West
16 Ramp" Transbay Terminal, "Second Street-to-Main Street" track alignment, "Tunneling", and
17 "Full Build" program for the Transbay Redevelopment Plan. A copy of said document is on file
18 with the Clerk of the Board of Supervisors in File No. 040616 and is incorporated herein by
19 reference; and

20 WHEREAS, On March 24, 2004, the Department published a "Draft Summary of
21 Comments and Responses" on the draft EIS/EIR (Volume II). On this same date, the
22 Department also published revisions to the draft EIS/EIR (Volume I) that included refinements
23 to the Project analyzed and staff-initiated text changes to take into account concerns that
24 commentors had raised. Both Volumes I and II were distributed to the Commission and other
25 co-lead agencies and to all parties who commented on the draft EIS/EIR. Copies of said

1 on file with the Clerk of the Board in File No. 040616 and is incorporated herein by reference;
2 and

3 WHEREAS, By separate letters to the Clerk of the Board of Supervisors dated May 10,
4 2004, Oliver L. Holmes, on behalf of unidentified individuals and entities that will be impacted
5 by the Transbay Terminal project, and Timothy A. Tosta, on behalf of Myers Natoma Venture
6 and Myers Development Company, filed timely appeals of the Final EIR certification to the
7 Board of Supervisors. On May 12, 2004, Joseph J. Brecher, on behalf of various Stillman
8 Street and Clocktower Loft residents and businesses, also filed a timely appeal of the Final
9 EIR certification; and

10 WHEREAS, On ~~June 8, 2004~~ June 15, 2004, this Board held a duly notice public
11 hearing to consider the appeal of the Final EIR certification; and

12 WHEREAS, This Board has reviewed and considered the Final EIS/EIR and heard
13 testimony and received public comment regarding the adequacy of this document; and

14 WHEREAS, The Final EIS/EIR files and all correspondence and other documents have
15 been made available for review by this Board and the public. These files are available for
16 public review by appointment at the Planning Department offices at 1660 Mission Street and
17 are made part of the record before this Board by reference herein; and

18 WHEREAS, Since the Planning Commission action on the Final EIR, there is no new
19 information of significance that would require a substantial revision to the Final EIR and
20 necessitate recirculation of said document pursuant to CEQA Guidelines section 15088.5;
21 now, therefore, be it

22 MOVED, That based on substantial evidence in light of the whole record, this Board of
23 Supervisors finds that: 1) the Final EIR reflects its independent judgment and analysis and is
24 adequate, accurate, and objective; 2) the Final EIR is sufficient as an informational document
25 and its conclusions are correct; and 3) the findings contained in the Planning Commission

1 certification are correct; and this Board hereby affirms the decision of the Planning
2 Commission in its Motion No. 16773 to certify the Final EIR in compliance with CEQA, the
3 CEQA Guidelines, and Chapter 31.
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City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 040629

Date Passed: June 15, 2004

Motion affirming the Planning Commission certification of the final environmental impact report for the Transbay Terminal/Caltrain Downtown Extension/Redevelopment Project.

June 8, 2004 Board of Supervisors — CONTINUED

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell,
McGoldrick, Peskin, Sandoval
Excused: 1 - Hall

June 15, 2004 Board of Supervisors — AMENDED

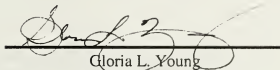
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell,
McGoldrick, Peskin, Sandoval

June 15, 2004 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell,
McGoldrick, Peskin, Sandoval

File No. 040629

I hereby certify that the foregoing Motion
was APPROVED on June 15, 2004 by the
Board of Supervisors of the City and County
of San Francisco.


Gloria L. Young
Clerk of the Board

[Reducing the size of the Budget Committee to three members year-round.]

Motion amending Rule 5.1 of the Rules of Order of the Board of Supervisors of the City and County of San Francisco to reduce the size of the Budget Committee to three members year-round.

Note: Additions are single-underline italics Times New Roman;
deletions are ~~strikethrough italics Times New Roman~~.
Board amendment additions are double underlined.
Board amendment deletions are ~~strikethrough normal~~.

MOVED, That the Board of Supervisors of the City and County of San Francisco hereby amends Rule 5.1 of the Rules of Order of the Board, to read as follows:

Rule 5.1 Budget Committee. The Budget Committee shall be referred the annual appropriation and annual salary ordinances. ~~The Budget Committee shall be comprised of five members.~~ Following the adoption of the annual appropriation and salary ordinances by the Board of Supervisors, the committee will ~~be reduced to three members and~~ consider strategies for the economic enhancement of the City and County of San Francisco.



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 040828

Date Passed: June 15, 2004

Motion amending Rule 5.1 of the Rules of Order of the Board of Supervisors of the City and County of San Francisco to reduce the size of the Budget Committee to three members year-round.

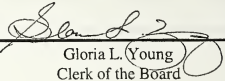
June 15, 2004 Board of Supervisors — APPROVED

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Gonzalez, Hall, Ma, McGoldrick, Peskin, Sandoval

Noes: 2 - Daly, Maxwell

File No. 040828

I hereby certify that the foregoing Motion was APPROVED on June 15, 2004 by the Board of Supervisors of the City and County of San Francisco.


Gloria L. Young
Clerk of the Board

[Adopting findings related to the conditional use appeal on property located at 833-881 Jamestown Avenue.]

Motion adopting findings related to the appeal of the Planning Commission's approval of Conditional Use Application No. 1999.0233C, (which allowed, a Planned Unit Development with up to 198 dwelling units and 216 off-street parking spaces within an RH-2 (Residential, House, Two-Family) Use District and a 40-X Height and Bulk District, on property located at: 833-881 Jamestown Avenue, west of Candlestick park at the northern base of Bayview Hill; (Lot 277 in the Assessor's Block 4991).

The appellant, Ralph D. House, on behalf of the Bayview Hill Neighborhood Association, filed a timely appeal on April 26, 2004, protesting the approval by the Planning Commission of an application for a conditional use authorization (Conditional Use Application No. 1999.0233C), to allow, subject to certain conditions, for a Planned Unit Development with up to 198 dwelling units and 216 off-street parking spaces within an RH-2 (Residential, House, Two-Family) Use District and a 40-X Height and Bulk District, on property located at: 833-881 Jamestown Avenue, west of Candlestick park at the northern base of Bayview Hill; (Lot 277 in the Assessor's Block 4991).

On May 18, 2004, the Board conducted a duly noticed public hearing on the appeal from the Planning Commission's approval referred to in the first paragraph of this motion. Following the conclusion of the public hearing on May 18, 2004, the Board disapproved the decision of the Planning Commission (Planning Commission Motion No. 16755, dated March 25, 2004) and approved the issuance of requested Conditional Use Application No. 1999.0233C, subject to the conditions imposed by the Planning Commission, and further subject to additional conditions imposed by the Board of Supervisors.

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BOARD OF SUPERVISORS

AUG 11 2004

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6/11/2004

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1 In reviewing the appeal of the approval of the requested conditional use authorization,
2 this Board reviewed and considered the written record before the Board and all of the public
3 comments made in support of and in opposition to the appeal.

4 NOW, THEREFORE, BE IT MOVED, That the Board of Supervisors of the City and
5 County of San Francisco hereby adopts as its own and incorporates by reference herein, as
6 though fully set forth, the findings made by the Planning Commission in its Motion No. 16755,
7 dated March 25, 2004, except as indicated below.

8 FURTHER MOVED, That the Board of Supervisors pursuant to the California
9 Environmental Quality Act ("CEQA"), California Public Resources Code § 21000 et seq., and
10 the CEQA Guidelines, California Code of Regulations, Title 14, § 15000 et seq., has reviewed
11 and relied upon the final mitigated negative declaration adopted by the San Francisco
12 Planning Commission on March 25, 2004, as the basis of its actions. The Board further finds
13 that there have been no substantial project changes, no substantial changes in Project
14 circumstances, and no new information of substantial importance that would change the
15 conclusions set forth in the Final Negative Declaration that the proposed Project would not
16 have a significant effect on the environment. In exercising its independent judgment, this
17 Board concurs with and adopts the findings and conclusions made in the negative declaration
18 and incorporates said findings and conclusions as though fully set forth herein and finds that
19 based on substantial evidence in light of the whole record this project will not have a
20 significant effect on the environment.

21 FURTHER MOVED, That at the May 18, 2004, public hearing on this appeal the
22 appellant and project sponsor testified that the parties had mutually agreed and stipulated to
23 additional conditions of approval for Conditional Use Application No. 1999.0233C, which
24 conditions are incorporated and imposed by the Board of Supervisors as set forth below.
25

1 FURTHER MOVED, That on May 18, 2004, the Board of Supervisors disapproved the
2 decision of the Planning Commission by its Motion No. 16755, which approved Conditional
3 Use Application No. 1999.0233C, and approved the requested Conditional Use Authorization
4 subject to the conditions imposed by the Planning Commission, and further subject to the
5 following additional conditions stipulated by the appellant and project sponsor and imposed by
6 the Board:

7 1. Jamestown Ave. Associates will plant street trees of the same size and species
8 along both sides of Jamestown Avenue in front of the project site.

9 2. Jamestown Avenue Associates will cooperate with the appellants to install traffic
10 calming improvements to Jamestown Avenue, such as a new median, subject to city
11 approvals and as more fully described in #5 below.

12 3. Jamestown Avenue Associates will improve Coronado Street for park use as it has
13 proposed, subject to appropriate City approval:

- 14 a) Jamestown Avenue Associates will obtain permits to improve Coronado
15 Street as it has proposed, with the City retaining land ownership, as
16 approved by the City Attorney
- 17 b) Jamestown Avenue Associates will remove existing parking spaces
18 adjacent to 860 Jamestown Avenue.
- 19 c) Jamestown Avenue associates will build a new sidewalk on the northern
20 side of Jamestown Avenue as it passes in front of Coronado Street.
- 21 d) Jamestown Avenue Associates will plant vegetation in place of existing
22 parking spaces adjacent to 860 Jamestown Avenue.
- 23 e) Jamestown Avenue Associates will install bollards across both ends of
24 Coronado Street – where it meets Jamestown avenue at the uphill end
25

1 and where it meets Ingerson Street at the downhill end --such that
2 pedestrians may pass but cars cannot park.

3 f) Jamestown Avenue Associates will add more vegetation to its proposed
4 landscaping, pending recommendations/approval by appropriate City
5 agencies.

6 g) Jamestown Avenue Associates will work with the Department of Public
7 Works to offer the park improvements to the Recreation and Parks
8 Department for assumption of responsibility for ongoing street
9 maintenance and liability;

10 4. Jamestown Avenue Associates will offer to install identical street lights on both
11 sides of Jamestown Avenue, subject to appropriate City approval;

12 5. Jamestown Avenue Associates will work with all relevant city agencies including
13 the Department of Parking & Traffic, the Department of Public Works and the Police
14 Department – as well as with neighboring landowners – which include the San Francisco
15 Forty-Niners – to adopt a plan for the city redesign of Jamestown Avenue, both in front of the
16 project site and to the east and west, which will include traffic-calming measures;

17 6. Jamestown Avenue Associates will install no less than a 10' sidewalk and up to
18 a 15' wide sidewalk directly in front of the project site and extending eastward to a point
19 opposite the intersection of Gilroy Street, subject to appropriate City approval; and

20 7. Jamestown Avenue Associates will change the project façade along Jamestown
21 Avenue to make it appear that there are fewer units per building by removing four penthouses,
22 altering porch entryways to double-entryways, painting each 25-foot building segment and
23 entryway a different color and adding a vertical "line" element to separate each 25-foot
24 building segment.
25

1 FURTHER MOVED, The Board finds that the conditional use authorization conditions
2 approved by the Board of Supervisors on May 25 and agreed to by the project sponsor will
3 assure that the project is compatible with the neighborhood, will alleviate neighborhood
4 concerns that the project will exacerbate existing parking traffic flow issues and will provide
5 adequate public improvements to support the new housing development.

6 FURTHER MOVED, The Board finds that the project, as revised by the additional
7 conditions imposed by the Board herein, will improve the compatibility of the project with the
8 existing neighborhood by making the façade of the development blend in with the existing
9 single-family developments in the neighborhood. Further, the revised project will assure that
10 the project does not exacerbate parking and traffic flow problems in the neighborhood and
11 that the new housing is supported by adequate public improvements. The Board also finds
12 that the project, as approved by the Planning Commission, did not include appropriate
13 treatment for such aspects as landscaping, lighting and parking controls. The Board finds that
14 the project, as revised by the conditions imposed by the Board herein, will include street trees
15 on both sides of Jamestown of the same size and species, up to 15-foot sidewalks in front of
16 the project site, street lights on both sides of Jamestown, subject to DPW approval, and
17 landscaping and traffic and parking control improvements on the unimproved portion of
18 Coronado Street across from the project site.

19 FURTHER MOVED, That, with the imposition of the additional conditions, the Project is
20 consistent with the objectives and policies of the General Plan, and is consistent with the
21 Priority Policies of Planning Code Section 101.1.

22 FURTHER MOVED, that the Board finds that the revised project, as approved by the
23 Board, will meet the requirements of the Planning Code Section 303. The revised project will
24 provide a development that is necessary or desirable for, and compatible with, the
25 neighborhood or the community, and that such use will not be detrimental to the health,

1 safety, convenience or general welfare of persons residing or working in the vicinity, or
2 injurious to property, improvements or potential development in the vicinity, and that such use
3 will not adversely affect the General Plan.

4 FURTHER MOVED, That the Board of Supervisors, after carefully balancing the
5 competing public and private interests, disapproved the decision of the Planning Commission
6 by its Motion No. 16755, dated March 25, 2004, and approved the issuance of Conditional
7 Use Application No. 1999.0233C on property located at 833-881 Jamestown Avenue, subject
8 to the conditions imposed by the Planning Commission and the additional conditions imposed
9 by the Board of Supervisors on May 18, 2004, as referred to earlier in this motion.



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 040854

Date Passed: June 22, 2004

Motion adopting findings related to the appeal of the Planning Commission's approval of Conditional Use Application No. 1999.0233C, (which allowed, a Planned Unit Development with up to 198 dwelling units and 216 off-street parking spaces within an RH-2 (Residential, House, Two-Family) Use District and a 40-X Height and Bulk District, on property located at: 833-881 Jamestown Avenue, west of Candlestick park at the northern base of Bayview Hill; (Lot 277 in the Assessor's Block 4991).

June 14, 2004 Board of Supervisors — REFERRED: Board of Supervisors

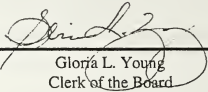
June 22, 2004 Board of Supervisors — APPROVED

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell,
McGoldrick, Peskin, Sandoval

Excused: 1 - Ma

File No. 040854

I hereby certify that the foregoing Motion
was APPROVED on June 22, 2004 by the
Board of Supervisors of the City and County
of San Francisco.



Gloria L. Young
Clerk of the Board

1 [Declaration of Emergency]

2
3 **Motion concurring in the determination of the Mayor for the continued need for the**
4 **declaration of emergency in connection with the needle exchange program.**

5
6 WHEREAS, On March 15, 1993, the Mayor declared a local emergency to exist in
7 connection with the AIDS epidemic and the high rate of HIV infection among injection drug
8 users and the corresponding high rate of transmission of the disease; and

9 WHEREAS, The Mayor directed the Department of Public Health to take immediate
10 steps to implement a needle exchange program in order to prevent the further spread of HIV
11 infection; and

12 WHEREAS, The Board of Supervisors adopted a resolution concurring in the
13 declaration of emergency and in the Mayor's directive to the Department of Public Health;
14 and

15 WHEREAS, Government Code Section 8630 requires the Board of Supervisors to
16 review the need for continuing the local emergency at least every 14 days; and

17 WHEREAS, The Mayor has determined that the conditions that gave rise to the need
18 for the declaration of emergency still exist and that the need for the declaration of emergency
19 continues; now, therefore, be it

20 MOVED, That the Board of Supervisors hereby concurs in the determination of the
21 Mayor for the continued need for the declaration of emergency in connection with the needle
22 exchange program.

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Tails Motion

File Number: 040874

Date Passed: June 22, 2004

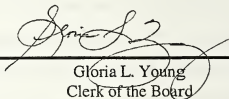
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

June 22, 2004 Board of Supervisors — APPROVED

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell,
McGoldrick, Peskin, Sandoval
Excused: 1 - Ma

File No. 040874

I hereby certify that the foregoing Motion
was APPROVED on June 22, 2004 by the
Board of Supervisors of the City and County
of San Francisco.



Gloria L. Young
Clerk of the Board

1 [Motion requesting the Controller to work with the Department of Public Health in Fiscal Year
2 04-05 to increase billings and reimbursements from the Department's clinics and programs in
3 order to increase revenues and thereby reduce the possibility of future program reductions.]

4 Motion requesting the Controller to work with the Department of Public Health in Fiscal
5 Year 04-05 to increase billings and reimbursements from the Department's clinics and
6 programs in order to increase revenues and thereby reduce the possibility of future
7 program reductions.
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City and County of San Francisco

Tails Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 040884

Date Passed: June 22, 2004

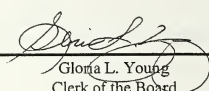
Motion requesting the Controller to work with the Department of Public Health in Fiscal Year 04-05 to increase billings and reimbursements from the Department's clinics and programs in order to increase revenues and thereby reduce the possibility of future program reductions.

June 22, 2004 Board of Supervisors — APPROVED

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell,
McGoldrick, Peskin, Sandoval
Excused: 1 - Ma

File No. 040884

I hereby certify that the foregoing Motion was APPROVED on June 22, 2004 by the Board of Supervisors of the City and County of San Francisco.


Gloria L. Young
Clerk of the Board

[Affirm adoption of the negative declaration for 2003 update of Housing Element]

Motion affirming Planning Commission adoption of the final negative declaration for 2003 update of Housing Element.

WHEREAS, On December 20, 2003, the Environmental Review Officer of the Planning Department issued a preliminary mitigated negative declaration for the 2003 update of the Housing Element in accordance with the California Environmental Quality Act ("CEQA"), the CEQA Guidelines and San Francisco Administrative Code Chapter 31; and

WHEREAS, On May 13, 2004, following a noticed public hearing, the Planning Commission by motion adopted a Final Mitigated Negative Declaration for the 2003 update of the Housing Element ("negative declaration") in accordance with Administrative Code Section 31.11(h). A copy of said document is on file with the Clerk of the Board of Supervisors in File No. 040704 and is incorporated by reference herein; and

WHEREAS, On May 27, 2004, the Clerk of the Board received an appeal of the negative declaration from Mr. John Bardis on behalf of the Inner Sunset Action Committee and on June 3, 2004, the Clerk of the Board received an appeal of the negative declaration from Ms. Susan Brandt-Hawley on behalf of sixteen neighborhood organizations (collectively "Appellants"); and

WHEREAS, This Board of Supervisor's held a duly noticed public hearing on June 29, 2004, to consider the negative declaration appeals filed by Appellants; and

WHEREAS, This Board has reviewed and considered the negative declaration and heard testimony, the appeal letters, a responses to concerns document prepared by the Planning Department and received public comment regarding the adequacy of this document, and

1 WHEREAS, The negative declaration files and all correspondence and other
2 documents have been made available for review by this Board and the public. These files are
3 available for public review by appointment at the Planning Department offices at 1660 Mission
4 Street, and are part of the record before this Board by reference herein; and

5 WHEREAS, Since the Planning Commission adoption of the negative declaration,
6 there is no new information of significance that would require a substantial revision to the
7 negative declaration and necessitate recirculation of said document pursuant to CEQA
8 Guideline Section 15073.5; now, therefore, be it

9 MOVED, That this Board of Supervisors finds that the contents of the negative
10 declaration and the procedures through which it was prepared, publicized, and reviewed
11 complied with the provisions of the California Environmental Quality Act (Cal. Pub. Res. Code
12 sections 21000 et seq., hereinafter "CEQA"), the State CEQA Guidelines (Cal. Code Regs.
13 Title 14, sections 15000 et seq., ("CEQA Guidelines") and Chapter 31 of the San Francisco
14 Administrative Code ("Chapter 31"); and, be it

15 FURTHER MOVED, That based on substantial evidence in light of the whole record,
16 this Board of Supervisors finds the negative declaration reflects its independent judgment and
17 analysis and is adequate, accurate, and objective, and hereby affirms the decision of the
18 Planning Commission to adopt the negative declaration in compliance with CEQA, the State
19 CEQA Guidelines, and Chapter 31.
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City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 040705

Date Passed: June 29, 2004

Motion affirming Planning Commission adoption of the final negative declaration for 2003 update of Housing Element.

June 29, 2004 Board of Supervisors — APPROVED

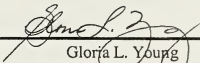
Ayes: 6 - Ammiano, Daly, Dufty, Gonzalez, Maxwell, McGoldrick

Noes: 4 - Alioto-Pier, Hall, Ma, Peskin

Absent: 1 - Sandoval

File No. 040705

I hereby certify that the foregoing Motion was APPROVED on June 29, 2004 by the Board of Supervisors of the City and County of San Francisco.


Gloria L. Young
Clerk of the Board

1 [Zoning Appeal]

2
3 **Motion disapproving decision of the Planning Commission by its Motion No. 16782,**
4 **approving Conditional Use Application No. 2003.1047C on property located at 3372-**
5 **3378 Mission Street (aka 3350 Mission Street).**

6
7 **MOVED,** That the decision of the Planning Commission by its Motion No.16782 dated
8 **May 6, 2004, approving a conditional use authorization, Case No. 2003.1047C, to install a**
9 **wireless telecommunications system facility consisting of six (6) pole mounted panel antennas**
10 **on the roof of the Safeway grocery store structure, and related backup equipment, pursuant to**
11 **Planning Code Sections 712.83 and 790.80, within an NC-3 (Moderate-Scale Neighborhood**
12 **Commercial) District and a 40-X Height and Bulk District on property located at:**

13
14 3372-3378 Mission Street (aka 3350 Mission Street) dba "Safeway";

15 West side between 29th and 30th Streets; Lot 055 in Assessor's Block 6635.
16 be and the same is disapproved.



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 040864

Date Passed: June 29, 2004

Motion disapproving decision of the Planning Commission by its Motion No. 16782, approving Conditional Use Application No. 2003.1047C on property located at 3372-3378 Mission Street (aka 3350 Mission Street).

June 29, 2004 Board of Supervisors — APPROVED

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell,
McGoldrick, Peskin
Absent: 1 - Sandoval

File No. 040864

I hereby certify that the foregoing Motion was APPROVED on June 29, 2004 by the Board of Supervisors of the City and County of San Francisco.

A handwritten signature in cursive script, appearing to read "Gloria L. Young", written over a horizontal line.

Gloria L. Young
Clerk of the Board

1 [Findings]

2
3 Motion directing the Clerk of the Board to prepare findings relating to proposed
4 Conditional use Application No. 2003.1047C on property located at 3372-3378 Mission
5 Street (aka 3350 Mission Street), for action by the Board at its next meeting.
6

7 IT IS HEREBY MOVED, That the Clerk of the Board be and he/she is hereby directed
8 to prepare findings relating to proposed Conditional Use Application No. 2003.1047C on
9 property located at 3372-3378 Mission Street (aka 3350 Mission Street), for action by the
10 Board at its next meeting.
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Clerk of the Board
BOARD OF SUPERVISORS

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Tails Motion

File Number: 040865

Date Passed: June 29, 2004

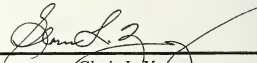
Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional use Application No. 2003.1047C on property located at 3372-3378 Mission Street (aka 3350 Mission Street), for action by the Board at its next meeting.

June 29, 2004 Board of Supervisors — APPROVED

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell,
McGoldrick, Peskin
Absent: 1 - Sandoval

File No. 040865

I hereby certify that the foregoing Motion
was APPROVED on June 29, 2004 by the
Board of Supervisors of the City and County
of San Francisco.



Gloria L. Young
Clerk of the Board

1 [Appointment, Planning Commission]
2

3 **Motion approving the Board of Supervisors President Gonzalez's nomination of**
4 **Christina Olague to the Planning Commission term ending July 1, 2004.**
5

6 WHEREAS, Pursuant to Charter Section 4.105, the Board President has submitted a
7 communication notifying the Board of Supervisors of the nomination of Christina Olague to the
8 Planning Commission, received by the Clerk of the Board on June 15th; and

9 WHEREAS, The Board of Supervisors, by Motion 02-80 established a process to
10 review the President's nomination to the Planning Commission; now, therefore, be it

11 MOVED, That the Board of Supervisors hereby approves the President's nomination of
12 Christina Olague to the Planning Commission term ending July 1, 2004.
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City and County of San Francisco

Tails Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 040881

Date Passed: June 29, 2004

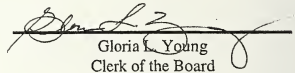
Motion approving the Board of Supervisors President Gonzalez's nomination of Christina Olague to the Planning Commission term ending July 1, 2004.

June 29, 2004 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell,
McGoldrick, Peskin, Sandoval

File No. 040881

I hereby certify that the foregoing Motion
was APPROVED on June 29, 2004 by the
Board of Supervisors of the City and County
of San Francisco.


Gloria L. Young
Clerk of the Board

1 [Appointment, Planning Commission]
2

3 **Motion approving the Board of Supervisors President Gonzalez's nomination of**
4 **Christina Olague to the Planning Commission term ending July 1, 2008.**
5

6 WHEREAS, Pursuant to Charter Section 4.105, the Board President has submitted a
7 communication notifying the Board of Supervisors of the nomination of Christina Olague to the
8 Planning Commission, received by the Clerk of the Board on June 15th; and

9 WHEREAS, The Board of Supervisors, by Motion 02-80 established a process to
10 review the President's nomination to the Planning Commission; now, therefore, be it

11 **MOVED, That the Board of Supervisors hereby approves the President's nomination of**
12 **Christina Olague to the Planning Commission term ending July 1, 2008.**
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City and County of San Francisco

Tails Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 040882

Date Passed: June 29, 2004

Motion approving the Board of Supervisors President Gonzalez's nomination of Christina Olague to the Planning Commission term ending July 1, 2008.

June 29, 2004 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell,
McGoldrick, Peskin, Sandoval

File No. 040882

I hereby certify that the foregoing Motion
was APPROVED on June 29, 2004 by the
Board of Supervisors of the City and County
of San Francisco.

Gloria L. Young
Clerk of the Board

1 [Audit of New Wastewater Service Rates.]
2

3 **Motion directing the Budget Analyst of the Board of Supervisors to prioritize, within its**
4 **scheduled FY 2004-2005 management audit of the Public Utilities Commission, an**
5 **analysis of the Wastewater Service Rates recently approved by the Commission, and**
6 **scheduled to take effect July 1, 2004.**
7

8 WHEREAS, The San Francisco Public Utilities Commission has approved a one-year
9 sewer rate adjustment, effective July 1, 2004, to achieve an overall 11% increase in sewer
10 system revenue; and,

11 WHEREAS, This rate increase is the result of approvals of the Rate Fairness Board,
12 created by November 2002's Proposition E, as well as the full Public Utilities Commission;
13 and,

14 WHEREAS, The Public Utilities Commission will be considering another increase in
15 sewer system revenue next year to be effective July 1, 2005, as well as another increase the
16 following year to be effective July 1, 2006; and,

17 WHEREAS, This proposed sewer rate increase will have a substantial impact on
18 homeowners, tenants, and small businesses throughout the City and County of San
19 Francisco; and,

20 WHEREAS, The ratepayers of the City and County must be assured that their
21 increased payments are being used effectively and efficiently in a manner that only a
22 management audit of the PUC can provide; and,

23 WHEREAS, The Board of Supervisors unanimously approved Motion 04-57 (attached)
24 on May 18, 2004, which set forward the proposed schedule of audits to be conducted by the
25 Budget Analyst; and,

1 WHEREAS, Motion 04-57 set the management audit of the Public Utilities Commission
2 as a priority for Fiscal Year 2004-2005; and,

3 WHEREAS, The FY 2004-2005 proposed budget for the Public Utilities Commission
4 includes \$500,000 for this proposed management audit; now, therefore, be it

5 MOVED, That the Board of Supervisors directs the Budget Analyst of the Board of
6 Supervisors to prioritize, within its scheduled FY 2004-2005 management audit of the Public
7 Utilities Commission, an analysis of the Wastewater Service Rates recently approved by the
8 Commission, and scheduled to take effect July 1, 2004.



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 040911

Date Passed: June 29, 2004

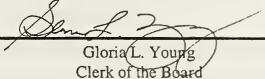
Motion directing the Budget Analyst of the Board of Supervisors to prioritize, within its scheduled FY 2004-2005 management audit of the Public Utilities Commission, an analysis of the Wastewater Service Rates recently approved by the Commission, and scheduled to take effect July 1, 2004.

June 29, 2004 Board of Supervisors — APPROVED

Ayes: 10 - Alioto-Pier, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick,
Peskin, Sandoval
Absent: 1 - Ammiano

File No. 040911

I hereby certify that the foregoing Motion
was APPROVED on June 29, 2004 by the
Board of Supervisors of the City and County
of San Francisco.


Gloria L. Young
Clerk of the Board

1 [Disapproving the Mayor's executive branch reorganization of personnel functions at Child
2 Support Services.]

3 **Motion disapproving, under Charter Section 4.132, the Mayor's intended transfer of**
4 **personnel functions from Child Support Services to the Department of Human**
5 **Resources.**

6
7 By letter dated June 2, 2004, Mayor Gavin Newsom notified the President of the Board
8 of Supervisors, and the members of the Budget Committee of the Board, that the Mayor
9 intended to implement a number of reorganizations within the Executive Branch of the
10 government of the City and County of San Francisco. This notice was received by the Clerk
11 of the Board of Supervisors on June 4, 2004.

12 Section 4.132 of the City Charter provides that the Mayor, by issuing such a notice to
13 the Board of Supervisors, may reorganize duties and functions between departments and
14 other units of government within the executive branch. Such reorganizations become
15 effective thirty days after the issuance of the notices, unless the reorganizations are
16 disapproved by the Board of Supervisors during that thirty day period.

17 Included in the Mayor's June 2 list of intended reorganizations is the reorganization at
18 various departments of personnel functions. These functions would be moved from these
19 departments to the Department of Human Resources. One of the departments included in
20 this reorganization of personnel functions is Child Support Services. The Board of
21 Supervisors wishes to disapprove this part of the proposed reorganization.

22 **MOVED, That the Board of Supervisors of the City and County of San Francisco, as**
23 **authorized by Section 4.132 of the City Charter, hereby disapproves the Mayor's June 2,**
24 **2004, intended transfer of the Child Support Services personnel function to the Department of**
25 **Human Resources.**

Supervisor Sandoval
BOARD OF SUPERVISORS

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6/18/2004

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City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 040925

Date Passed: June 29, 2004

Motion disapproving, under Charter Section 4.132, the Mayor's intended transfer of personnel functions from Child Support Services to the Department of Human Resources.

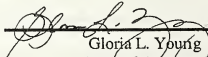
June 29, 2004 Board of Supervisors — APPROVED

Ayes: 10 - Alioto-Pier, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick,
Peskin, Sandoval

Absent: 1 - Ammiano

File No. 040925

I hereby certify that the foregoing Motion
was APPROVED on June 29, 2004 by the
Board of Supervisors of the City and County
of San Francisco.


Gloria L. Young
Clerk of the Board

1 [Declaration of Emergency]

2
3 **Motion concurring in the determination of the Mayor for the continued need for the**
4 **declaration of emergency in connection with the needle exchange program.**

5
6 WHEREAS, On March 15, 1993, the Mayor declared a local emergency to exist in
7 connection with the AIDS epidemic and the high rate of HIV infection among injection drug
8 users and the corresponding high rate of transmission of the disease; and

9 WHEREAS, The Mayor directed the Department of Public Health to take immediate
10 steps to implement a needle exchange program in order to prevent the further spread of HIV
11 infection; and

12 WHEREAS, The Board of Supervisors adopted a resolution concurring in the
13 declaration of emergency and in the Mayor's directive to the Department of Public Health;
14 and

15 WHEREAS, Government Code Section 8630 requires the Board of Supervisors to
16 review the need for continuing the local emergency at least every 14 days; and

17 WHEREAS, The Mayor has determined that the conditions that gave rise to the need
18 for the declaration of emergency still exist and that the need for the declaration of emergency
19 continues; now, therefore, be it

20 MOVED, That the Board of Supervisors hereby concurs in the determination of the
21 Mayor for the continued need for the declaration of emergency in connection with the needle
22 exchange program.

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DOCUMENTS DEPT.

AUG 11 2004



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 040929

Date Passed: June 29, 2004

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

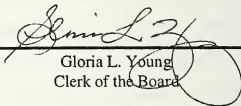
June 29, 2004 Board of Supervisors — APPROVED

Ayes: 10 - Alioto-Pier, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick,
Peskin, Sandoval

Absent: 1 - Ammiano

File No. 040929

I hereby certify that the foregoing Motion
was APPROVED on June 29, 2004 by the
Board of Supervisors of the City and County
of San Francisco.


Gloria L. Young
Clerk of the Board

[Final Map for a 20 Unit Live/Work Condominium Project]

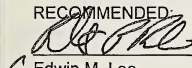
Motion approving Final Map of Villa dei Fiori, 767 Bryant Street, A Live/Work Condominium Project, being a subdivision of Lot 49 in Assessor's Block No. 3778, and adopting findings pursuant to Planning Code Section 101.1.

MOVED, That the certain map entitled "Final Map of Villa dei Fiori, 767 Bryant Street, A Live/Work Condominium Project," being a subdivision of Lot 49, Portion of Assessor's Block No. 3778, comprising 5 sheets, approved the 30th day of June, 2004 by Department of Public Works Order No. 174,872, be and the same is hereby approved and adopted as the Official Map of Final Map of Villa dei Fiori, 767 Bryant Street, A Live/Work Condominium Project.

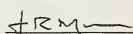
FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the Planning Department, by its letter dated May 29, 2002, that the project intended by the map is consistent with the General Plan and the Priority Policies of Planning Code Section 101.1.

FURTHER MOVED, That approval of this map is also contingent upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

RECOMMENDED:


Edwin M. Lee
Director of Public Works

DESCRIPTION APPROVED:


John R. Martin, L.S.
County Surveyor

AUG 11 2004



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 040935

Date Passed: July 13, 2004

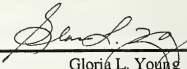
Motion approving Final Map of Villa dei Fiori, 767 Bryant Street, a Live/Work Condominium Project, being a subdivision of Lot 49 in Assessor's Block No. 3778, and adopting findings pursuant to Planning Code Section 101.1.

July 13, 2004 Board of Supervisors — APPROVED

Ayes: 10 - Alioto-Pier, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick,
Peskin, Sandoval
Absent: 1 - Ammiano

File No. 040935

I hereby certify that the foregoing Motion
was APPROVED on July 13, 2004 by the
Board of Supervisors of the City and County
of San Francisco.



Gloria L. Young
Clerk of the Board

[Final Map for a 8 Unit Residential Condominium Project]

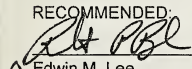
Motion approving Final Map of 926 Grove Street, A Residential Condominium Project, being a subdivision of Lot 32 in Assessor's Block No. 798, and adopting findings pursuant to Planning Code Section 101.1.

MOVED, That the certain map entitled "Final Map of 926 Grove Street, A Residential Condominium Project," being a subdivision of Lot 32, Portion of Assessor's Block No. 798, comprising 4 sheets, approved the 30th day of June, 2004 by Department of Public Works Order No. 174,873, be and the same is hereby approved and adopted as the Official Map of Final Map of 926 Grove Street, A Residential Condominium Project.

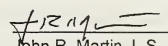
FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the Planning Department, by its letter dated April 26, 2003, that the project intended by the map is consistent with the General Plan and the Priority Policies of Planning Code Section 101.1.

FURTHER MOVED, That approval of this map is also contingent upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

RECOMMENDED:


Edwin M. Lee
Director of Public Works

DESCRIPTION APPROVED:


John R. Martin, L.S.
County Surveyor

AUG 11 2004



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 040936

Date Passed: July 13, 2004

Motion approving Final Map of 926 Grove Street, a Residential Condominium Project, being a subdivision of Lot 32 in Assessor's Block No. 798, and adopting findings pursuant to Planning Code Section 101.1.

July 13, 2004 Board of Supervisors — APPROVED

Ayes: 10 - Alioto-Pier, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick,
Peskin, Sandoval
Absent: 1 - Ammiano

File No. 040936

I hereby certify that the foregoing Motion
was APPROVED on July 13, 2004 by the
Board of Supervisors of the City and County
of San Francisco.

A handwritten signature in cursive script, appearing to read "Gloria L. Young", written over a horizontal line.

Gloria L. Young
Clerk of the Board

1 [Final Map for a 250 Unit Residential Condominium Project]

2
3 **Motion approving Final Map of Avalon at Mission Bay, 255 King Street, A Residential**
4 **Condominium Project, being a subdivision of Parcel "A" Lot 10 in Assessor's Block**
5 **No. 8706, and adopting findings pursuant to Planning Code Section 101.1.**

6
7 MOVED, That the certain map entitled "Map of Avalon Bay, 255 King Street, A
8 Residential Condominium Project," being a subdivision of Parcel "A", Lot 10, Portion of
9 Assessor's Block No. 8706, comprising 15 sheets, approved the 30th Day of June 2004, by
10 Department of Public Works Order No. 174,874, be and the same is hereby approved and
11 adopted as the Official Map of Avalon Bay, 255 King Street, A Residential Condominium
12 Project.

13 FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own
14 and incorporates by reference herein as though fully set forth the findings made by the
15 Planning Department, by its letter dated November 27, 2001, that the project intended by
16 the map is consistent with the General Plan and the Priority Policies of Planning Code
17 Section 101.1.

18 FURTHER MOVED, That the Redevelopment Agency in its letter dated November
19 21, 2001, stated the project is in conformance with the Mission Bay North Redevelopment
20 Plan.

21 FURTHER MOVED, That approval of this map is also contingent upon compliance by
22 the subdivider with all applicable provisions of the San Francisco Subdivision Code and
23 amendments thereto.
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DOCUMENTS DEPT.

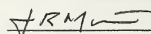
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RECOMMENDED:



Edwin M. Lee
Director of Public Works

DESCRIPTION APPROVED:



John R. Martin, L.S.
County Surveyor



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 040937

Date Passed: July 13, 2004

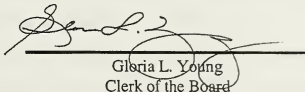
Motion approving Final Map of Avalon at Mission Bay, 255 King Street, a Residential Condominium Project, being a subdivision of Parcel "A" Lot 10 in Assessor's Block No. 8706, and adopting findings pursuant to Planning Code Section 101.1.

July 13, 2004 Board of Supervisors — APPROVED

Ayes: 10 - Alioto-Pier, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick,
Peskin, Sandoval
Absent: 1 - Ammiano

File No. 040937

I hereby certify that the foregoing Motion
was APPROVED on July 13, 2004 by the
Board of Supervisors of the City and County
of San Francisco.



Gloria L. Young
Clerk of the Board

1 [Declaration of Emergency]

2
3 **Motion concurring in the determination of the Mayor for the continued need for the**
4 **declaration of emergency in connection with the needle exchange program.**

5
6 WHEREAS, On March 15, 1993, the Mayor declared a local emergency to exist in
7 connection with the AIDS epidemic and the high rate of HIV infection among injection drug
8 users and the corresponding high rate of transmission of the disease; and

9 WHEREAS, The Mayor directed the Department of Public Health to take immediate
10 steps to implement a needle exchange program in order to prevent the further spread of HIV
11 infection; and

12 WHEREAS, The Board of Supervisors adopted a resolution concurring in the
13 declaration of emergency and in the Mayor's directive to the Department of Public Health;
14 and

15 WHEREAS, Government Code Section 8630 requires the Board of Supervisors to
16 review the need for continuing the local emergency at least every 14 days; and

17 WHEREAS, The Mayor has determined that the conditions that gave rise to the need
18 for the declaration of emergency still exist and that the need for the declaration of emergency
19 continues; now, therefore, be it

20 MOVED, That the Board of Supervisors hereby concurs in the determination of the
21 Mayor for the continued need for the declaration of emergency in connection with the needle
22 exchange program.

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DOCUMENTS DEPT.



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 040962

Date Passed: July 13, 2004

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

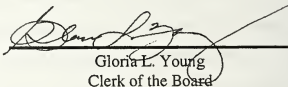
July 13, 2004 Board of Supervisors — APPROVED

Ayes: 10 - Alioto-Pier, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick,
Peskin, Sandoval

Absent: 1 - Ammiano

File No. 040962

I hereby certify that the foregoing Motion
was APPROVED on July 13, 2004 by the
Board of Supervisors of the City and County
of San Francisco.


Gloria L. Young
Clerk of the Board

[Final Map for a 34 Unit Mixed-Use Condominium Project]


Motion approving Final Map of 280 Fell Street and 300 Gough Street, A Mixed-Use Condominium Project, being a subdivision of Lot 8 in Assessor's Block No. 816, and adopting findings pursuant to Planning Code Section 101.1.

MOVED, That the certain map entitled "Map of 280 Fell Street and 300 Gough Street, A Mixed-Use Condominium Project," being a subdivision of Lot 8, Portion of Assessor's Block No. 816, comprising 8 sheets, approved the 30th Day of June, 2004 by Department of Public Works Order No. 174,882, be and the same is hereby approved and adopted as the Official Map of Map of 280 Fell Street and 300 Gough Street, A Mixed-Use Condominium Project.

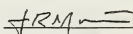
FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the Planning Department, by its letter dated April 13, 2000, that the project intended by the map is consistent with the General Plan and the Priority Policies of Planning Code Section 101.1.

FURTHER MOVED, That approval of this map is also contingent upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

RECOMMENDED:


Edwin M. Lee
Director of Public Works

DESCRIPTION APPROVED:


John R. Martin, L.S.
County Surveyor



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 040964

Date Passed: July 13, 2004

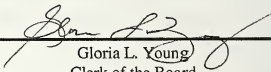
Motion approving Final Map of 280 Fell Street and 300 Gough Street, a Mixed-Use Condominium Project, being a subdivision of Lot 8 in Assessor's Block No. 816, and adopting findings pursuant to Planning Code Section 101.1.

July 13, 2004 Board of Supervisors — APPROVED

Ayes: 10 - Alioto-Pier, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick,
Peskin, Sandoval
Absent: 1 - Ammiano

File No. 040964

I hereby certify that the foregoing Motion
was APPROVED on July 13, 2004 by the
Board of Supervisors of the City and County
of San Francisco.


Gloria L. Young
Clerk of the Board

[Final Map for a 35 Unit Mixed-Use Condominium Project]

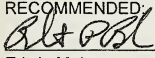
Motion approving Final Map of 3435, 3445 and 3455 Geary Boulevard, A Mixed-Use Condominium Project, being a subdivision of Lot 41 in Assessor's Block No. 1085, and adopting findings pursuant to Planning Code Section 101.1.

MOVED, That the certain map entitled "Map of 3435, 3445 and 3455 Geary Boulevard, A Mixed-Use Condominium Project," being a subdivision of Lot 41, Portion of Assessor's Block No. 1085, comprising 9 sheets, approved the 30th Day of June, 2004 by Department of Public Works Order No. 174,881, be and the same is hereby approved and adopted as the Official Map of 3435, 3445 and 3455 Geary Boulevard, A Mixed-Use Condominium Project.

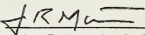
FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the Planning Department, by its letter dated June 22, 1998, that the project intended by the map is consistent with the General Plan and the Priority Policies of Planning Code Section 101.1.

FURTHER MOVED, That approval of this map is also contingent upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

RECOMMENDED:


Edwin M. Lee
Director of Public Works

DESCRIPTION APPROVED:


John R. Martin, L.S.
County Surveyor



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 040965

Date Passed: July 13, 2004

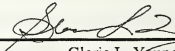
Motion approving Final Map of 3435, 3445 and 3455 Geary Boulevard, a Mixed-Use Condominium Project, being a subdivision of Lot 41 in Assessor's Block No. 1085, and adopting findings pursuant to Planning Code Section 101.1.

July 13, 2004 Board of Supervisors — APPROVED

Ayes: 10 - Alioto-Pier, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick,
Peskin, Sandoval
Absent: 1 - Ammiano

File No. 040965

I hereby certify that the foregoing Motion
was APPROVED on July 13, 2004 by the
Board of Supervisors of the City and County
of San Francisco.



Gloria L. Young
Clerk of the Board

1 [Committee of the Whole – Supportive and Affordable Rental Housing and Homeownership
2 Bonds Special Election Ordinance]

3 Motion authorizing the Board of Supervisors to sit as a Committee of the Whole on
4 Tuesday, July 13, 2004 at 4:00 p.m. to consider Board File 040954, the Supportive and
5 Affordable Rental Housing and Homeownership Bonds Special Election Ordinance.
6

7 MOVED, That the Board of Supervisors shall sit as a Committee of the Whole on
8 Tuesday, July 13, 2004 at 4:00 p. m. to consider Board File 040954, the Supportive and
9 Affordable Rental Housing and Homeownership Bonds Special Election Ordinance.
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City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 040968

Date Passed: July 13, 2004

Motion authorizing the Board of Supervisors to sit as a Committee of the Whole on Tuesday, July 13, 2004 at 4:00 p.m. to consider Board File 040954, the Supportive and Affordable Rental Housing and Homeownership Bonds Special Election Ordinance.

July 13, 2004 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell,
McGoldrick, Peskin, Sandoval

File No. 040968

I hereby certify that the foregoing Motion
was APPROVED on July 13, 2004 by the
Board of Supervisors of the City and County
of San Francisco.

A handwritten signature in black ink, appearing to read "Gloria L. Young", written over a horizontal line.

Gloria L. Young
Clerk of the Board

FILE NO. 040951

MOTION NO. M04-87

1 [Appointment, Board of Appeals]
2

3 **Motion approving the Board of Supervisors President's appointment of Randall Knox**
4 **to the Board of Appeals for the term ending ~~July 1, 2006.~~ July 1, 2008.**
5

6 WHEREAS, Pursuant to Charter Section 4.106, the Board of Supervisors President
7 has submitted a communication notifying the Board of Supervisors of the nomination of
8 Randall Knox to the Board of Appeals, received by the Clerk of the Board on June 29, 2004;
9 and

10 WHEREAS, The Board of Supervisors, by Motion 02-80 established a process to
11 review the President's nomination to the Board of Appeals; now, therefore, be it

12 **MOVED, That the Board of Supervisors hereby approves the President's appointment**
13 **of Randall Knox to the Board of Appeals term ending July 1, 2006.**
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Supervisor Gonzalez
Clerk of the Board of Supervisors
BOARD OF SUPERVISORS

DOCUMENTS DEPT.

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Planning: 04-021040951-02.doc



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 040951

Date Passed: July 20, 2004

Motion approving the Board of Supervisors President's appointment of Randall Knox to the Board of Appeals for the term ending July 1, 2006.

July 20, 2004 Board of Supervisors — AMENDED

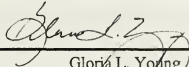
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell,
McGoldrick, Peskin, Sandoval

July 20, 2004 Board of Supervisors — APPROVED AS AMENDED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell,
McGoldrick, Peskin, Sandoval

File No. 040951

I hereby certify that the foregoing Motion
was APPROVED AS AMENDED on July 20,
2004 by the Board of Supervisors of the City
and County of San Francisco.

A handwritten signature in cursive script, appearing to read "Gloria L. Young", is written over a horizontal line.

Gloria L. Young
Clerk of the Board

1 [Adopting findings related to the conditional use appeal on property located at 3372-3378
2 Mission Street (aka 3350 Mission Street)]

3 Motion adopting findings related to the appeal of the Planning Commission's approval
4 of Conditional Use Authorization No. 16782 (which approved the installation of a
5 wireless telecommunications system facility consisting of six (6) pole mounted panel
6 antennas on the roof of the Safeway grocery store structure, and related backup
7 equipment, pursuant to Planning Code Sections 712.83 and 790.80, within an NC-3
8 (Moderate-Scale Neighborhood Commercial) District and a 40-X Height and Bulk
9 District on property located at 3372-3378 Mission Street (aka 3350 Mission Street) dba
10 "Safeway"; West side between 29th and 30th Streets; (Lot 055 in Assessor's Block
11 6635)..

12
13 The appellant, Debra Green, representing Noe/Bernal Neighborhood Alliance, filed a
14 timely appeal on June 7, 2004, protesting the approval by the Planning Commission of an
15 application for a conditional use authorization (Conditional Use Application No. 2003.1047C,
16 approved by Planning Commission Motion No. 16782 dated May 6, 2004), pursuant to
17 Planning Code Sections 711.83 and 790.80, to authorize the installation of a wireless
18 telecommunications system facility consisting of six (6) pole mounted panel antennas on the
19 roof of the Safeway grocery store structure, and related backup equipment, pursuant to
20 Planning Code Sections 712.83 and 790.80, within an NC-3 (Moderate-Scale Neighborhood
21 Commercial) District and a 40-X Height and Bulk District on property located at 3372-3378
22 Mission Street (aka 3350 Mission Street) dba "Safeway"; West side between 29th and 30th
23 Streets; (Lot 055 in Assessor's Block 6635).

24 The San Francisco Planning Commission adopted the Wireless Telecommunications
25 Services ("WTS") Facilities Siting Guidelines in August of 1996 ("Guidelines") to assist the

1 Planning Department in its consideration of applications for conditional use authorization to
2 install WTS facilities. These Guidelines are not binding on the Board of Supervisors. The
3 Guidelines establish location preferences for installation of WTS facilities throughout the City.
4 The location preferences set forth seven categories, with location preference one being the
5 most preferred sites, and location preference seven being the most disfavored sites. The
6 property located at 3372-3378 Mission Street (aka 3350 Mission Street) falls within a location
7 preference 4 because it is wholly commercial structure within an NC-3 Zoning District

8 On June 29, 2004, the Board of Supervisors conducted a duly noticed public hearing
9 on the appeal from the Planning Commission's approval of the conditional use authorization
10 referred to in the first paragraph of this motion. Following the conclusion of the public hearing
11 on June 29, 2004, the Board voted to disapprove the decision of the Planning Commission
12 (Planning Commission Motion No. 16782 dated May 6, 2004) and denied the issuance of the
13 requested Conditional Use Application No. 2003.1047C by a vote of ten to zero.

14 In considering the appeal of the approval of the requested conditional use
15 authorization, the Board reviewed and considered the written record before the Board and all
16 of the public comments made in support of and in opposition to the appeal.

17 NOW, THEREFORE, BE IT MOVED, That the Board of Supervisors of the City and
18 County of San Francisco hereby adopts as its own and incorporates by reference herein, as
19 though fully set forth, the findings made by the Planning Commission in its Motion No. 16782
20 dated May 6, 2004, except as indicated below.

21 FURTHER MOVED, That the Board of Supervisors further took notice that the project
22 was categorically exempt from environmental review pursuant to exemption Classes 1, 3 and
23 11 of Title 14 of the California Administrative Code. The Board finds that there have been no
24 substantial changes in project circumstances and no new information of substantial
25

1 importance that would change the determination of categorical exemption issued by the
2 Planning Commission.

3 FURTHER MOVED, That the Board of Supervisors finds that:

4 1. The written and oral information provided by the applicant to the Board was not
5 persuasive or objectively verified, and the applicant was unable to demonstrate credibly that
6 the proposed WTS facility is necessary for the neighborhood or the community, contrary to the
7 requirements of Section 303(c)(1) of the Planning Code.

8 2. The public testimony at the public hearing and the public documentation
9 submitted in support of the appellant's objections to the decision of the Planning Commission
10 supported the appellant's position that there is no necessity for the proposed WTS facility to
11 be approved and installed for residential or business purposes in the neighborhood or the
12 community because the proposed WTS facility is not necessary to meet the applicant's
13 present service demands within the geographic service area defined by the applicant.

14 3. The written and oral information provided by the applicant at the June 29, 2004,
15 public hearing showed that, according to the applicant, the proposed WTS facility would
16 improve the quality of the service offered by applicant, will expand the array of
17 communications services the applicant can offer, will improve the convenience of service and
18 will reduce the cost of wireless communication to the consumer. The applicant also asserted
19 that the WTS facility would provide better coverage and increase the capacity for coverage for
20 its customers.

21 4. Notwithstanding this information submitted by the applicant, the written and oral
22 information provided by the appellant and her supporters at the June 29, 2004, public hearing
23 showed that the applicant presently had acceptable service in the geographic area of the
24 proposed WTS facility from the applicant's existing WTS facilities in the vicinity of the
25 proposed site.

1 5. The public testimony at the public hearing and the public documentation
2 submitted in support of the appellant's objections to the decision of the Planning Commission
3 supported the appellant's position that the location of the proposed WTS facility is
4 incompatible with the existing character of the neighborhood, contrary to the requirements of
5 Section 303(c)(1) of the Planning Code.

6 6. The written and oral information provided by the appellant and her supporters at
7 the June 29, 2004, public hearing showed that: (i) the area surrounding the proposed site is
8 residential; (ii) the proposed WTS facility consists of six pole-mounted antennas; (iii) the
9 proposed WTS facility would add ten feet to the roof and extend thirty five feet above grade;
10 and (iv) equipment that would be installed on the roof as part of the proposed WTS facility is
11 likely to be noisy.

12 7. The public testimony at the public hearing and the public documentation
13 submitted in support of the appellant's objections to the decision of the Planning Commission
14 supported the appellant's position that the location of the proposed WTS facility is undesirable
15 for the neighborhood or the community, contrary to the requirements of Section 303(c)(1) of
16 the Planning Code. Members of the public expressed overwhelming opposition to the
17 proposed WTS facility during the June 29, 2004, hearing before the Board.

18 8. The public testimony at the public hearing and the public documentation
19 submitted in support of the appeal demonstrated that the applicant has obtained the use of
20 other antennas within the City and County of San Francisco, owned by AT&T wireless, thus
21 expanding the applicant's capacity without the need for the subject facility. Testimony at the
22 public hearing on June 29, 2004, also demonstrated that sales representatives from Cingular
23 Wireless (the applicant) represented to members of the public, on more than one occasion,
24 that their coverage in the subject neighborhood was as good as that of the applicant's
25 competitors.

1 9. There is nothing in the record to suggest that the Board's decision to disapprove
2 the decision of the Planning Commission in this case will unreasonably discriminate against
3 the applicant in favor of providers of functionally equivalent services.

4 10. There is nothing in the record to suggest that the Board's decision to disapprove
5 the decision of the Planning Commission in this case will limit or prohibit access to wireless
6 telecommunications services in the geographic area of the proposed site.

7 11. There is nothing in the record to suggest that the Board's decision to disapprove
8 the decision of the Planning Commission in this case will prevent the filling of a significant gap
9 in wireless telecommunications services provided to remote users of those services in the
10 geographic area of the proposed site, whether those remote users obtain service from the
11 applicant or from other wireless service providers serving the City.

12 12. There is nothing in the record to suggest that the applicant exhausted its search
13 for alternative sites for the proposed WTS facility or that the proposed WTS facility would be
14 the least intrusive means for the applicant to improve its service quality in the geographic area
15 of the proposed site.

16 13. In the written and oral information provided at the June 29, 2004, public hearing,
17 members of the public expressed concern that radio frequency emissions from the proposed
18 WTS facility would have adverse health effects on persons residing in the vicinity. In making
19 these statements, members of the public exercised their constitutional right to petition the
20 government. However, there is evidence in the record that the proposed WTS facility would
21 comply with Federal Communications Commission safety standards for radio frequency
22 radiation exposure. Thus, in disapproving the decision of the Planning Commission and
23 denying the issuance of the requested conditional use authorization, the Board has not relied
24 on the public testimony or public documentation concerning this issue and the Board has not
25 based its determination on such a ground.

1 FURTHER MOVED, That based upon the findings made in the preceding paragraphs,
2 the Board of Supervisors finds that Finding 9 made by the Planning Commission was incorrect
3 and without substantiation. The Board finds that the installation of the proposed WTS facility
4 is not necessary for the neighborhood or the community. The applicant is able to adequately
5 provide service to the neighborhood and the community from its existing WTS facilities in the
6 area of the proposed site.

7 FURTHER MOVED, That based upon the findings made in the preceding paragraphs,
8 the Board of Supervisors finds that Finding 10 made by the Planning Commission was
9 incorrect and without substantiation. The Board finds that the installation of the proposed
10 WTS facility is not desirable for and compatible with the neighborhood or the community. The
11 construction of the proposed WTS facility would result in an additional intrusion of
12 unnecessary, noticeable equipment into a neighborhood that contains a high proportion of
13 residential property and that is adjacent to parks, scenic shorelines and historically significant
14 buildings. The proposed WTS facility is not so located, designed, and treated architecturally
15 as to minimize visibility from public places. The proposed WTS facility is not generally in
16 harmony with neighborhood character.

17 FURTHER MOVED, That based upon the findings made in the preceding paragraphs,
18 the Board of Supervisors finds that Finding 11 made by the Planning Commission was
19 incorrect and without substantiation. The Board finds that the installation of the proposed
20 WTS facility is not in conformity with, and would not implement the policies of, the City's
21 General Plan, in that the installation of the proposed WTS facility will not further any of the
22 objectives referred to by the Planning Commission.

23 FURTHER MOVED, That based upon the findings made in the preceding paragraphs,
24 the Board of Supervisors finds that Finding 12 made by the Planning was incorrect and
25 without substantiation. The Board finds that the installation of the proposed WTS facility does

1 not conform with the priority planning policies established by Section 101.1(b) of the Planning
2 Code because the proposed WTS facility: (i) is not necessary to preserve and enhance
3 existing neighborhood-serving retail uses and to preserve and enhance future opportunities
4 for resident employment in and ownership of such businesses (see Section 101.1(b)(1)); (ii) is
5 not necessary to conserve and protect existing housing and neighborhood character (see
6 Section 101.1(b)(2)); (iii) is not necessary to preserve and enhance the City's supply of
7 affordable housing (see Section 101.1(b)(3)); (iv) may increase commuter traffic and impede
8 and overburden the streets (see Section 101.1(b)(4)); (v) is not necessary to maintain a
9 diverse economic base by protecting the City's industrial and service sectors from
10 displacement due to commercial office development or to enhance future opportunities for
11 resident employment and ownership in these sectors (see Section 101.1(b)(5)); (vi) is not
12 necessary to add to the City's preparedness to protect against injury and loss of life in an
13 earthquake (see Section 101.1(b)(6)); (vii) is not necessary to preserve any landmarks and
14 historic buildings (see Section 101.1(b)(7)); and (viii) is not necessary to protect City parks and
15 open space and their access to sunlight and vistas from development (see Section
16 101.1(b)(8)).

17 FURTHER MOVED, That based upon the findings made in the preceding paragraphs,
18 the Board of Supervisors finds that Finding 13 made by the Planning Commission was
19 incorrect and without substantiation, and the Board finds that the conditional use authorization
20 would not promote the health, safety and welfare of the City, and will only add an unnecessary
21 and redundant service and will result in an additional intrusion of unnecessary, noticeable
22 equipment into a neighborhood that contains a high proportion of residential property and that
23 is adjacent to parks, scenic shorelines and historically significant buildings.

24 FURTHER MOVED, That the Board of Supervisors, after carefully balancing the
25 competing public and private interests, disapproved the decision of the Planning Commission

1 by its Motion No. 16782 dated May 6, 2004, and denied the issuance of Conditional Use
2 Authorization No. 2003.1047C.
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City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 040970

Date Passed:

Motion adopting findings related to the appeal of the Planning Commission's approval of Conditional Use Authorization No. 16782 (which approved the installation of a wireless telecommunications system facility consisting of six (6) pole mounted panel antennas on the roof of the Safeway grocery store structure, and related backup equipment, pursuant to Planning Code Sections 712.83 and 790.80, within an NC-3 (Moderate-Scale Neighborhood Commercial) District and a 40-X Height and Bulk District on property located at 3372-3378 Mission Street (aka 3350 Mission Street) dba "Safeway"; West side between 29th and 30th Streets; (Lot 055 in Assessor's Block 6635).

July 9, 2004 Board of Supervisors — REFERRED: Board of Supervisors

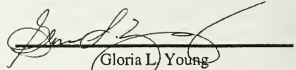
July 20, 2004 Board of Supervisors — APPROVED

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell,
McGoldrick, Peskin, Sandoval

Absent: 1 - Hall

File No. 040970

I hereby certify that the foregoing Motion
was APPROVED on July 20, 2004 by the
Board of Supervisors of the City and County
of San Francisco.


Gloria L. Young
Clerk of the Board

1 [Declaration of Emergency]

2
3 **Motion concurring in the determination of the Mayor for the continued need for the**
4 **declaration of emergency in connection with the needle exchange program.**

5
6 WHEREAS, On March 15, 1993, the Mayor declared a local emergency to exist in
7 connection with the AIDS epidemic and the high rate of HIV infection among injection drug
8 users and the corresponding high rate of transmission of the disease; and

9 WHEREAS, The Mayor directed the Department of Public Health to take immediate
10 steps to implement a needle exchange program in order to prevent the further spread of HIV
11 infection; and

12 WHEREAS, The Board of Supervisors adopted a resolution concurring in the
13 declaration of emergency and in the Mayor's directive to the Department of Public Health;
14 and

15 WHEREAS, Government Code Section 8630 requires the Board of Supervisors to
16 review the need for continuing the local emergency at least every 14 days; and

17 WHEREAS, The Mayor has determined that the conditions that gave rise to the need
18 for the declaration of emergency still exist and that the need for the declaration of emergency
19 continues; now, therefore, be it

20 MOVED, That the Board of Supervisors hereby concurs in the determination of the
21 Mayor for the continued need for the declaration of emergency in connection with the needle
22 exchange program.

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City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 041010

Date Passed: July 20, 2004

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

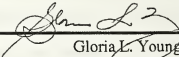
July 20, 2004 Board of Supervisors — APPROVED

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, Peskin,
Sandoval

Absent: 2 - Daly, McGoldrick

File No. 041010

I hereby certify that the foregoing Motion
was APPROVED on July 20, 2004 by the
Board of Supervisors of the City and County
of San Francisco.


Gloria L. Young
Clerk of the Board

FILE NO. 040667

MOTION NO. M04-90

[Declaration of Policy Concerning San Francisco Transactions and Use Tax Expenditures.]

Motion submitting a declaration of policy to the qualified electors of the City and County of San Francisco at the November 2, 2004 election concerning the voters' non-binding recommendation that the proposed one-quarter of one percent (0.25%) San Francisco Transactions and Use Tax be expended to support and expand programs for trauma and emergency services, low-income, vulnerable communities, including seniors, the disabled, children and homeless individuals and families.

WHEREAS, The Board of Supervisors has adopted an ordinance ordering submission to the voters at the November 2, 2004 election of a one-quarter of one percent (0.25%) San Francisco Transactions and Use Tax, which is on file with the Clerk of the Board of Supervisors in File No. 040751 and is hereby declared to be a part of this motion as if set forth fully herein; and,

WHEREAS, The proposed San Francisco Transactions and Use Tax, if approved by a majority of the qualified electors voting on the question, would be imposed under California Revenue and Taxation Code Section 7285 as a general tax that may be used for any City purpose; and,

WHEREAS, Pursuant to San Francisco Charter Section 2.113, the Board of Supervisors may submit declarations of policy to the voters; and,

WHEREAS, Pursuant to Charter Section 2.113, the Board of Supervisors may submit a declaration of policy allowing the voters to express their non-binding recommendation that the City use the revenues from the proposed San Francisco Transactions and Use Tax to support and expand programs for low-income, vulnerable communities, including seniors, the disabled, and children ~~and homeless individuals and families~~; and,

Supervisor Ammiano
BOARD OF SUPERVISORS

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WHEREAS, The declaration of policy proposed by this motion is a non-binding statement of the voters' recommendation and would not impose the proposed San Francisco Transactions and Use Tax adopted under California Revenue and Taxation Code Section 7285 for specific purposes nor would it restrict the ability of the City to expend the proceeds derived from the proposed tax for any City purpose; now, therefore, be it

MOVED, That the Director of Elections shall place a declaration of policy on the ballot for the November 2, 2004 election, as follows:

"This measure is NOT a tax. It is a declaration of policy only that states the non-binding recommendation of the voters of the City and County of San Francisco that the proposed one-quarter of one percent (0.25%) San Francisco Transactions and Use Tax be used to support and expand programs for low-income, vulnerable populations, including seniors,and children and homeless individuals and families. Examples of the types of programs for which the voters recommend the City use the revenues from the proposed tax include:

- a. Programs which provide and maintain trauma and emergency medical and health services;
- b. Programs for seniors and the disabled, such as the expansion of homecare, increasing funding for home-delivered and congregate meals, increasing funding for paratransit services, funding for services in supportive housing for seniors and adults with disabilities, and other home and community-based services that support community living, consumer advocacy, empowerment and training for seniors and the disabled and advocates for seniors and the disabled;
- c. Programs for children, families and the homeless.

- 1 ~~b. Programs for children and youth, such as providing childcare subsidies for low~~
2 ~~wage working parents not eligible for state and federal funds, summer recreation~~
3 ~~and sports programs, after school and family support programs for children with~~
4 ~~special needs, job preparation and employment programs for youth in high violence~~
5 ~~neighborhoods, and neighborhood and family resource centers that provide multi-~~
6 ~~services in high need and under-served neighborhoods;~~
- 7 ~~c. Programs designed to end and prevent homelessness such as providing subsidies~~
8 ~~for rent and social services for supportive housing tenants, employment~~
9 ~~preparedness training for homeless and formerly homeless people, increasing the~~
10 ~~number of slots in substance abuse programs, expanding community-based mental~~
11 ~~health care, and funding eviction prevention and money management programs.~~

12 The voters understand and reiterate their intent that the recommendations in this
13 declaration of policy are purely advisory and do not limit in any way the ability of the City to
14 expend the revenues from the proposed San Francisco Transactions and Use Tax for any
15 City purpose.”

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City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 040667

Date Passed: July 27, 2004

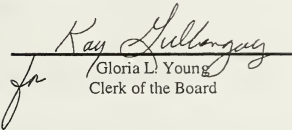
Motion submitting a declaration of policy to the qualified electors of the City and County of San Francisco at the November 2, 2004 election concerning the voters' non-binding recommendation that the proposed one-quarter of one percent (0.25%) San Francisco Transactions and Use Tax be expended to support and expand programs for low-income, vulnerable communities, including seniors, the disabled, children and homeless Individuals and families.

July 27, 2004 Board of Supervisors — APPROVED

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell,
McGoldrick, Peskin, Sandoval
Noes: 1 - Hall

File No. 040667

I hereby certify that the foregoing Motion
was APPROVED on July 27, 2004 by the
Board of Supervisors of the City and County
of San Francisco.


Gloria L. Young
Clerk of the Board

1 [Directing the Clerk of the Board of Supervisors to submit the Incompatible Activities
2 Statement to the Ethics Commission.]

3 **Motion directing the Clerk of the Board of Supervisors to submit the Incompatible**
4 **Activities Statement to the Ethics Commission.**

5
6 WHEREAS, Proposition E was passed by the voters at the November 4, 2004,
7 Election; and

8 WHEREAS, Proposition E enacted changes to the City and County of San Francisco's
9 Campaign and Governmental Conduct Code Section 3.218 to require all City departments,
10 boards, and commissions to develop statements identifying "incompatible activities;" and

11 WHEREAS, The Incompatible Activities Statement is intended to provide guidance to
12 officers and employees of the Board of Supervisors, the Clerk of the Board, and the Youth
13 Commission about what types of activities are incompatible with their public duties; and

14 WHEREAS, The Incompatible Activities Statement must be submitted to the Ethics
15 Commission by August 1, 2004; now, therefore, be it

16 MOVED, That the Board of Supervisors directs the Clerk of the Board to take all
17 necessary administrative steps to carry out of the intent of this motion, including the
18 submission to the Ethics Commission of the Incompatible Activities Statement for the Board of
19 Supervisors as approved by the Board.



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 040883

Date Passed: July 27, 2004

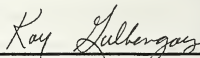
Motion directing the Clerk of the Board of Supervisors to submit the Incompatible Activities Statement to the Ethics Commission.

July 27, 2004 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell,
McGoldrick, Peskin, Sandoval

File No. 040883

I hereby certify that the foregoing Motion
was APPROVED on July 27, 2004 by the
Board of Supervisors of the City and County
of San Francisco.


for Gloria L. Young
Clerk of the Board

[Authorizing preparation of Proponent ballot arguments and rebuttal ballot arguments for submittal to the voters at the November 2, 2004 Election.]

Motion authorizing preparation of written Proponent ballot arguments and rebuttal ballot arguments for Charter Amendments and other Measures approved by the Board of Supervisors for submittal to the voters at the November 2, 2004 Election.

WHEREAS, The Board of Supervisors has approved several Charter Amendments and other Measures for submittal to the voters at the November 4, 2004 Election in the City and County of San Francisco; and

WHEREAS, The Board of Supervisors wishes to authorize the sponsors of the following Charter Amendments and other measures to submit and sign a written Proponent ballot argument and rebuttal ballot argument for submittal to the Director of Elections as follows:

Authorizing Health Plans for City Residents	Daly
Health Service System Benefits	Daly
Board tolling deadlines, votes needed when Board members are disqualified; Hold Over Appointments; Department of Aging and Adult Services Commission on the Environment; and Legislative Aides	Gonzalez
Non-Citizen's Voting/SFUSD	Gonzalez
Increase Retirement Benefits Safety employees/Death in the Line of Duty	Hall
Supportive and Affordable Rental Housing And Homeownership Bonds	Peskin

Supervisor Matt Gonzalez
BOARD OF SUPERVISORS

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Neighborhood Historical
Resources Preservation Bond Peskin

Declaration of Policy San Francisco
Transaction and Use Tax Expenditure Ammiano

WHEREAS, The Board Member(s) authorizes to submit the Proponent ballot argument, will submit the argument to the Director of Election no later than the deadline of noon, August 13, 2004, and the rebuttal ballot argument no later than noon, August 17, 2004; now, therefore, be it

MOVED, That the Board of Supervisors hereby authorizes the sponsors of each measure, under the provisions of the San Francisco Elections Code Sections 530 and 550, to submit and sign a written Proponent ballot argument and rebuttal ballot argument on their measures; and, be it

FURTHER MOVED, That the sponsors of measures submitted to the voters for the November 2, 2004 Election, who are authorized by this motion to submit arguments, may authorize or assign to any other person(s) under the provisions of the San Francisco Elections Code Sections 530 and 550 (c) and (d) the right to submit the proponent and/or rebuttal arguments.



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 041034

Date Passed: July 27, 2004

Motion authorizing preparation of written Proponent ballot arguments and rebuttal ballot arguments for Charter Amendments and other Measures approved by the Board of Supervisors for submittal to the voters at the November 2, 2004 Election.

July 27, 2004 Board of Supervisors — AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

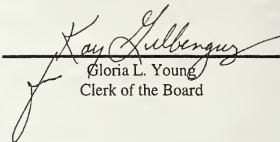
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

July 27, 2004 Board of Supervisors — APPROVED AS AMENDED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

File No. 041034

I hereby certify that the foregoing Motion
was APPROVED AS AMENDED on July 27,
2004 by the Board of Supervisors of the City
and County of San Francisco.



Kay Lillengren
Gloria L. Young
Clerk of the Board

1 [Authorizing preparation of Opponent ballot arguments and rebuttal ballot arguments for
2 submittal to the voters at the November 2, 2004 Election.]

3 **Motion authorizing preparation of written Opponent ballot argument and rebuttal ballot**
4 **argument for ordinance submitted by petition for submittal to the voters at the**
5 **November 2, 2004 Election.**
6

7 WHEREAS, Several Charter Amendments and other Measures have qualified for the
8 November 2, 2004 ballot by obtaining the necessary number of signatures from registered
9 voters in the City and County of San Francisco; and
10

11 WHEREAS, The Board of Supervisors wishes to authorize the following Supervisor to
12 submit and sign a written Opponent ballot argument and rebuttal ballot argument for submittal
13 to the Director of Elections as follows:

14
15 Use of Hotel Surcharge to Preserve Single Screen Movie Theatres Alioto-Pier
16

17 WHEREAS, The Board Member(s) authorized to submit the Opponent ballot argument,
18 will submit the argument to the Director of Election no later than the deadline of noon, August
19 13, 2004, and the rebuttal ballot argument no later than noon, August 17, 2004; now,
20 therefore, be it
21

22 MOVED, That the Board of Supervisors hereby authorizes the above-referenced
23 Supervisor(s), under the provisions of the San Francisco Elections Code Sections 530 and
24 550, to submit and sign a written Opponent ballot argument and rebuttal ballot argument on
25 specified measures qualifying for the November 2, 2004 ballot by obtaining the necessary

Supervisor Michela Alioto-Pier
BOARD OF SUPERVISORS

DOCUMENTS DEPT.

AUG 25 2004

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7/27/2004

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1 number of signatures from registered voters in the City and County of San Francisco ; and, be
2 it

3 FURTHER MOVED, That the opponents of measures submitted to the voters for the
4 November 2, 2004 Election, who are authorized by this motion to submit arguments, may
5 authorize or assign to any other person(s) under the provisions of the San Francisco Elections
6 Code Sections 530 and 550 (c) and (d) the right to submit the opponent and/or rebuttal
7 arguments.
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City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 041066

Date Passed: August 10, 2004

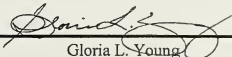
Motion authorizing preparation of written Opponent ballot argument and rebuttal ballot argument for ordinance submitted by petition for submittal to the voters at the November 2, 2004 Election.

August 10, 2004 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval

File No. 041066

I hereby certify that the foregoing Motion was APPROVED on August 10, 2004 by the Board of Supervisors of the City and County of San Francisco.


Gloria L. Young
Clerk of the Board

1 [Declaration of Emergency]

2
3 **Motion concurring in the determination of the Mayor for the continued need for the**
4 **declaration of emergency in connection with the needle exchange program.**

5
6 WHEREAS, On March 15, 1993, the Mayor declared a local emergency to exist in
7 connection with the AIDS epidemic and the high rate of HIV infection among injection drug
8 users and the corresponding high rate of transmission of the disease; and

9 WHEREAS, The Mayor directed the Department of Public Health to take immediate
10 steps to implement a needle exchange program in order to prevent the further spread of HIV
11 infection; and

12 WHEREAS, The Board of Supervisors adopted a resolution concurring in the
13 declaration of emergency and in the Mayor's directive to the Department of Public Health;
14 and

15 WHEREAS, Government Code Section 8630 requires the Board of Supervisors to
16 review the need for continuing the local emergency at least every 14 days; and

17 WHEREAS, The Mayor has determined that the conditions that gave rise to the need
18 for the declaration of emergency still exist and that the need for the declaration of emergency
19 continues; now, therefore, be it

20 MOVED, That the Board of Supervisors hereby concurs in the determination of the
21 Mayor for the continued need for the declaration of emergency in connection with the needle
22 exchange program.



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 041068

Date Passed: August 10, 2004

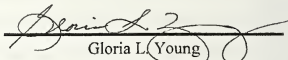
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

August 10, 2004 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma, Maxwell,
McGoldrick, Peskin, Sandoval

File No. 041068

I hereby certify that the foregoing Motion
was APPROVED on August 10, 2004 by the
Board of Supervisors of the City and County
of San Francisco.


Gloria L. Young
Clerk of the Board

FILE NO. 041081

MOTION NO. M04-95

[Public Hearing – Eminent Domain]

7.U. 8/10
Motion directing the Board of Supervisors to hold a public hearing on August 17, 2004, at ^{4:30 p.m.}~~3:00 p.m.~~, with the Board sitting as a committee of the whole, to consider: (1) adopting environmental findings under the California Environmental Quality Act, State Guidelines, and Administrative Code Chapter 31; (2) adopting findings under the General Plan and City Planning Code Section 101.1; and (3) adopting a resolution of necessity for the City's proposed acquisition by eminent domain for the Transbay Terminal/Caltrain Downtown Extension/Redevelopment Project of Lots 45A, 46, 53, and 54 in Assessor's Block 3721 (80 Natoma), in San Francisco.

WHEREAS, On April 22, 2004 the Transbay Joint Powers Authority (TJPA) by Resolution No. 04-004 approved the Transbay Terminal/Caltrain Downtown Extension/Redevelopment Project (the "Project");

WHEREAS, On June 15, 2004 the Board of Supervisors by Motion No. M04-67, Clerk File No. 040629, denied the appeal of the Final EIS/EIR for the Project under the California Environmental Quality Act ("CEQA") and affirmed the Planning Commission's certification of the Final EIS/EIR;

WHEREAS, On July 23, 2004 the Transbay Joint Powers Authority (TJPA) determined that acquisition of Lots 45A, 46, 53, and 54 in Assessor's Block 3721 (the "Property") is necessary to implement the Project; and, now, therefore, be it

MOVED, That it is the intention of the Board of Supervisors to hold a public hearing in accordance with Section 1245.235 of the California Code of Civil Procedure with the Board sitting as a committee of the whole to consider adopting a Resolution of Necessity (the "Resolution") to acquire the Property by eminent domain, and entitled "Authorizing acquisition

Supervisor Daly
BOARD OF SUPERVISORS

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7/27/2004

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1 of Lots 45A, 46, 53, and 54 in Assessor's Block 3721 in San Francisco, by eminent domain for
2 the Transbay Terminal/Caltrain Downtown Extension/Redevelopment Project; adopting
3 environmental findings under the California Environmental Quality Act, State Guidelines, and
4 Administrative Code Chapter 31; and adopting findings under the General Plan and City
5 Planning Code Section 101.1;" and, be it

6 FURTHER MOVED, That the public hearing on the Resolution will be set in such a
7 manner that each person whose name and address appears for the Property on the City's last
8 equalized tax assessment roll shall receive by first-class mail fifteen (15) days' notice of the
9 public hearing, at which each person may appear and be heard on whether: (1) the public
10 interest and necessity require the acquisition of the Property by eminent domain; (2) the
11 acquisition of the Property by eminent domain is planned or located in the manner that will be
12 most compatible with the greatest public good and least private injury; (3) the Property is
13 necessary for the Transbay Terminal Project; (4) the City has made the offer to the owner of
14 record of the Property as required by California Government Code Section 7267.2; (5) the
15 acquisition of the Property is consistent with the City's General Plan and City Planning Code
16 Section 101.1; and (6) the acquisition of the Property is consistent with CEQA, the State
17 Guidelines, and San Francisco Administrative Code Chapter 31; and, be it

18 FURTHER MOVED, That notice is hereby given that the Board will hold the public
19 hearing on the Resolution on the 17th day of August, 2004, beginning at 4:30 p.m., in the
20 Legislative Chamber, City Hall, Second Floor, 1 Dr. Carlton B. Goodlett Place, in the City;
21 and, be it

22 FURTHER MOVED, That at the public hearing, each person whose name and address
23 appears for the Property on the City's last equalized tax assessment roll, and who, within
24 fifteen (15) days after the Notice was mailed, has filed with the Clerk of the Board a written
25

1 request to appear and be heard at the public hearing on the matters identified above, may do
2 so; and, be it

3 FURTHER MOVED, That the Resolution must be adopted by a two-thirds vote of all of
4 the members of the Board; and, be it

5 FURTHER MOVED, That at the close of the public hearing, the Board will vote to
6 decide whether to adopt or not to adopt the Resolution.



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 041081

Date Passed: August 10, 2004

Motion directing the Board of Supervisors to hold a public hearing on August 17, 2004, at 4:30 p.m., with the Board sitting as a Committee of the whole, to consider (1) adopting environmental findings under the California Environmental Quality Act, State Guidelines, and Administrative Code Chapter 31; (2) adopting findings under the General Plan and City Planning Code Section 101.1; and (3) adopting a resolution of necessity for the City's proposed acquisition by eminent domain for the Transbay Terminal/Caltrain Downtown Extension/Redevelopment Project of Lots 45A, 46, 53, and 54 in Assessor's Block 3721 (80 Natoma), in San Francisco.

August 10, 2004 Board of Supervisors — AMENDED

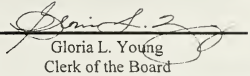
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma,
McGoldrick, Peskin, Sandoval
Absent: 1 - Maxwell

August 10, 2004 Board of Supervisors — APPROVED AS AMENDED

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma,
McGoldrick, Peskin, Sandoval
Absent: 1 - Maxwell

File No. 041081

I hereby certify that the foregoing Motion
was APPROVED AS AMENDED on August
10, 2004 by the Board of Supervisors of the
City and County of San Francisco.



Gloria L. Young
Clerk of the Board

1 [Emergency Disadvantaged Business Program – August 10 Committee of the Whole.]

2
3 **Motion for the Board of Supervisors to convene as a committee of the whole on August**
4 **10, 2004, at 4:00 p.m. to accept public testimony concerning the possible adoption of**
5 **an emergency ordinance creating a Disadvantaged Business Utilization Program.**
6

7 WHEREAS, A recent San Francisco Superior Court decision has resulted in the need
8 for the City and County of San Francisco to consider immediately how best to implement a
9 revised business utilization program to assist disadvantaged businesses conducting business
10 with the City and County; and,

11 WHEREAS, The Board wishes to consider emergency legislation to address this
12 immediate need, and August 10, 2004 is the next available meeting for Board consideration of
13 this issue; and,

14 WHEREAS; Public testimony will be required before the Board may take any action on
15 any proposed ordinances that would address this issue; now, therefore, be it

16 **MOVED, That the City and County of San Francisco shall hereby convene as a**
17 **committee of the whole on August 10, 2004 to accept public testimony concerning the**
18 **possible adoption of an emergency ordinance creating a Disadvantaged Business Utilization**
19 **Program.**
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City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 041097

Date Passed:

Motion for the Board of Supervisors to convene as a committee of the whole on August 10, 2004, at 4:00 p.m. to accept public testimony concerning the possible adoption of an emergency ordinance creating a Disadvantaged Business Utilization Program.

August 10, 2004 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval

File No. 041097

I hereby certify that the foregoing Motion was APPROVED on August 10, 2004 by the Board of Supervisors of the City and County of San Francisco.

A handwritten signature in dark ink, appearing to read "Gloria L. Young", written over a horizontal line.

Gloria L. Young
Clerk of the Board

[Suspending 30 Day Rule for Emergency Ordinance to Establish Disadvantaged Business Enterprise Program.]

Motion suspending Rule 5.40 of the Rules of Order of the Board of Supervisors to allow the Board of Supervisors to consider, without waiting 30 days after its introduction, a proposed emergency ordinance amending the municipal code to add Chapter 14A to the San Francisco Administrative Code to establish a Disadvantaged Business Enterprise Program and suspend Chapter 12D.A; adopt declaration of emergency; make applicable certain emergency contracting procedures; and provide for data collection to ensure nondiscrimination in City contracting.

WHEREAS, Rule 5.40 of the Rules of Order of the Board of Supervisors requires that when a measure is introduced that would create or revise major City policy, the measure shall not be considered until at least thirty days after the day of the measure's introduction; and,

WHEREAS, Rule 4.37 of the Rules of Order allows Rule 5.40 to be suspended by the affirmative vote of eight members of the Board, unless there are less than eight Board members present, in which case the unanimous consent of the members present, but not less than six members, shall be required; and,

WHEREAS, The members of the Board of Supervisors wish to suspend the operation of Rule 5.40 with regard to the consideration of the proposed emergency ordinance amending the municipal code to add Section 14A to the San Francisco Administrative Code to establish a Disadvantaged Business Enterprise program and suspend Chapter 12D.A, adopt a declaration of emergency, make applicable certain emergency contracting procedures, and provide for data collection to ensure nondiscrimination in City contracting; now, therefore,

1 BE IT MOVED, That the Board of Supervisors of the City and County of San Francisco,
2 as allowed by Rule 4.37 of its Rules of Order, hereby suspends the operation of Rule 5.40 of
3 the Board's Rules of Order from operating with regard to the Board's consideration of the
4 proposed emergency ordinance amending the municipal code to add Section 14A to the San
5 Francisco Administrative Code to establish a Disadvantaged Business Enterprise program
6 and suspend Chapter 12D.A, adopt a declaration of emergency, make applicable certain
7 emergency contracting procedures, and provide for data collection to ensure
8 nondiscrimination in City contracting.



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 041116

Date Passed: August 10, 2004

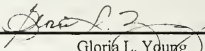
Motion suspending Rule 5.40 of the Rules of Order of the Board of Supervisors to allow the Board of Supervisors to consider, without waiting 30 days after its introduction, a proposed emergency ordinance amending the municipal code to add Chapter 14A to the San Francisco Administrative Code to establish a Disadvantaged Business Enterprise Program and suspend Chapter 12D.A; adopt declaration of emergency; make applicable certain emergency contracting procedures; and provide for data collection to ensure nondiscrimination in City contracting.

August 10, 2004 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval

File No. 041116

I hereby certify that the foregoing Motion
was APPROVED on August 10, 2004 by the
Board of Supervisors of the City and County
of San Francisco.



Gloria L. Young
Clerk of the Board

1 [Minor Sidewalk Encroachment Permit Appeal]

2
3 Motion approving the decision of the Director of Public Works' approval of a minor
4 sidewalk encroachment permit at 2833 26TH Street and denying the appeal.
5

6 MOVED, That pursuant to applicable provisions of Section 723.2 of the Public Works
7 Code, the decision of the Director of Public Works, dated July 8, 2004, to grant Michael and
8 Leora Vestel a minor sidewalk encroachment permit to legalize the construction of a warped
9 driveway ramp and two (2) planter boxes encroaching 3'-0" public sidewalk right-of-way to
10 provide access to a garage below grade at 2833 26th Street, be and the same is hereby
11 approved and the appeal is denied.
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City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 041056

Date Passed: August 17, 2004

Motion approving the decision of the Director of Public Works' approval of a minor sidewalk encroachment permit at 2833 26th Street and denying the appeal.

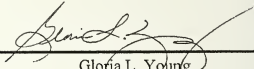
August 17, 2004 Board of Supervisors — APPROVED

Ayes: 8 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, McGoldrick,
Sandoval

Absent: 3 - Ma, Maxwell, Peskin

File No. 041056

I hereby certify that the foregoing Motion was APPROVED on August 17, 2004 by the Board of Supervisors of the City and County of San Francisco.



Gloria L. Young
Clerk of the Board

1 [Declaration of Emergency]

2
3 **Motion concurring in the determination of the Mayor for the continued need for the**
4 **declaration of emergency in connection with the needle exchange program.**

5
6 WHEREAS, On March 15, 1993, the Mayor declared a local emergency to exist in
7 connection with the AIDS epidemic and the high rate of HIV infection among injection drug
8 users and the corresponding high rate of transmission of the disease; and

9 WHEREAS, The Mayor directed the Department of Public Health to take immediate
10 steps to implement a needle exchange program in order to prevent the further spread of HIV
11 infection; and

12 WHEREAS, The Board of Supervisors adopted a resolution concurring in the
13 declaration of emergency and in the Mayor's directive to the Department of Public Health;
14 and

15 WHEREAS, Government Code Section 8630 requires the Board of Supervisors to
16 review the need for continuing the local emergency at least every 14 days; and

17 WHEREAS, The Mayor has determined that the conditions that gave rise to the need
18 for the declaration of emergency still exist and that the need for the declaration of emergency
19 continues; now, therefore, be it

20 MOVED, That the Board of Supervisors hereby concurs in the determination of the
21 Mayor for the continued need for the declaration of emergency in connection with the needle
22 exchange program.

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DOCUMENTS DEPT.



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 041159

Date Passed: August 17, 2004

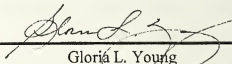
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

August 17, 2004 Board of Supervisors — APPROVED

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Gonzalez, Maxwell,
McGoldrick, Peskin, Sandoval
Absent: 2 - Daly, Ma

File No. 041159

I hereby certify that the foregoing Motion
was APPROVED on August 17, 2004 by the
Board of Supervisors of the City and County
of San Francisco.



Gloria L. Young
Clerk of the Board

1 [Declaration of Emergency]

2
3 **Motion concurring in the determination of the Mayor for the continued need for the**
4 **declaration of emergency in connection with the needle exchange program.**

5
6 WHEREAS, On March 15, 1993, the Mayor declared a local emergency to exist in
7 connection with the AIDS epidemic and the high rate of HIV infection among injection drug
8 users and the corresponding high rate of transmission of the disease; and

9 WHEREAS, The Mayor directed the Department of Public Health to take immediate
10 steps to implement a needle exchange program in order to prevent the further spread of HIV
11 infection; and

12 WHEREAS, The Board of Supervisors adopted a resolution concurring in the
13 declaration of emergency and in the Mayor's directive to the Department of Public Health;
14 and

15 WHEREAS, Government Code Section 8630 requires the Board of Supervisors to
16 review the need for continuing the local emergency at least every 14 days; and

17 WHEREAS, The Mayor has determined that the conditions that gave rise to the need
18 for the declaration of emergency still exist and that the need for the declaration of emergency
19 continues; now, therefore, be it

20 MOVED, That the Board of Supervisors hereby concurs in the determination of the
21 Mayor for the continued need for the declaration of emergency in connection with the needle
22 exchange program.



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 041198

Date Passed: September 14, 2004

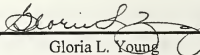
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

September 14, 2004 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval

File No. 041198

I hereby certify that the foregoing Motion was APPROVED on September 14, 2004 by the Board of Supervisors of the City and County of San Francisco.


Gloria L. Young
Clerk of the Board

[Affirm adoption of the negative declaration for 3150 18th Street]

Motion affirming Planning Commission adoption of the final negative declaration for 3150 18th Street.

WHEREAS, On April 8, 2004, the Environmental Review Officer of the Planning Department issued a preliminary mitigated negative declaration for 3150 18th Street in accordance with the California Environmental Quality Act ("CEQA"), the CEQA Guidelines and San Francisco Administrative Code Chapter 31; and

WHEREAS, On June 24, 2004, following a noticed public hearing, the Planning Commission by motion adopted a Final Mitigated Negative Declaration for 3150 18th Street ("negative declaration") in accordance with Administrative Code Section 31.11(h). A copy of said document is on file with the Clerk of the Board of Supervisors in File No. and is incorporated by reference herein; and

WHEREAS, On August 24, 2004, the Clerk of the Board received an appeal of the negative declaration from Ms. Kellie Seringer ("Appellant"); and

WHEREAS, This Board of Supervisor's held a duly noticed public hearing on September 21, 2004, to consider the negative declaration appeal filed by Appellant; and

WHEREAS, This Board has reviewed and considered the negative declaration and heard testimony, the appeal letter, a responses to concerns document prepared by the Planning Department and received public comment regarding the adequacy of this document; and

WHEREAS, The negative declaration files and all correspondence and other documents have been made available for review by this Board and the public. These files are

1 available for public review by appointment at the Planning Department offices at 1660 Mission
2 Street, and are part of the record before this Board by reference herein; and

3 WHEREAS, Since the Planning Commission adoption of the negative declaration,
4 there is no new information of significance that would require a substantial revision to the
5 negative declaration and necessitate recirculation of said document pursuant to CEQA
6 Guideline Section 15073.5; now, therefore, be it

7 MOVED, That this Board of Supervisors finds that the contents of the negative
8 declaration and the procedures through which it was prepared, publicized, and reviewed
9 complied with the provisions of the California Environmental Quality Act (Cal. Pub. Res. Code
10 sections 21000 et seq., hereinafter "CEQA"), the State CEQA Guidelines (Cal. Code Regs.
11 Title 14, sections 15000 et seq., ("CEQA Guidelines") and Chapter 31 of the San Francisco
12 Administrative Code ("Chapter 31"); and, be it

13 FURTHER MOVED, That based on substantial evidence in light of the whole record,
14 this Board of Supervisors finds the negative declaration reflects its independent judgment and
15 analysis and is adequate, accurate, and objective, and hereby affirms the decision of the
16 Planning Commission to adopt the negative declaration in compliance with CEQA, the State
17 CEQA Guidelines, and Chapter 31.



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails
Motion

File Number: 041210

Date Passed: September 21, 2004

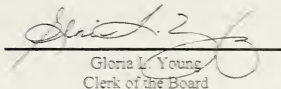
Motion affirming Planning Commission adoption of the final negative declaration for 3150 18th Street.

September 21, 2004 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval

File No. 041210

I hereby certify that the foregoing Motion was APPROVED on September 21, 2004 by the Board of Supervisors of the City and County of San Francisco.


Gloria L. Young
Clerk of the Board

FILE NO. 041225

MOTION NO. M04-102

[Appointment, Human Services Commission]

Motion rejecting the Mayor's appointment of Michael DeNunzio to the Human Services Commission, for the term ending January 15, 2005.

WHEREAS, Pursuant to Charter Section 3.100, the Mayor has submitted a communication notifying the Board of Supervisors of the appointment of Michael DeNunzio to the Human Services Commission, received on August 30, 2004; and

WHEREAS, Under Charter Section 3.100, the Board of Supervisors has the authority to reject the appointment by a two-thirds vote (eight votes) within thirty days following transmittal of the Mayor's Notice of Appointment, and the failure of the Board to reject the appointment by two-thirds vote within the thirty day time period shall result in the appointee continuing to serve as appointed; now, therefore, be it

MOVED, That the Board of Supervisors hereby rejects the Mayor's appointment of Michael DeNunzio to the Human Services Commission, for the term ending January 15, 2005.



City and County of San Francisco
Tails
Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 041225

Date Passed: September 21, 2004

Motion rejecting the Mayor's appointment of Michael DeNunzio to the Human Services Commission, for the term ending January 15, 2005.

September 21, 2004 Board of Supervisors — AMENDED, AN AMENDMENT OF THE WHOLE
BEARING NEW TITLE

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma, Maxwell,
McGoldrick, Peskin, Sandoval

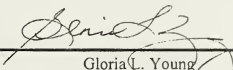
September 21, 2004 Board of Supervisors — APPROVED AS AMENDED

Ayes: 8 - Alioto-Pier, Ammiano, Daly, Gonzalez, Maxwell, McGoldrick, Peskin,
Sandoval

Noes: 3 - Dufty, Elsbernd, Ma

File No. 041225

I hereby certify that the foregoing Motion
was APPROVED AS AMENDED on
September 21, 2004 by the Board of
Supervisors of the City and County of San
Francisco.



Gloria L. Young
Clerk of the Board

1 [Appointment, Public Utilities Commission]

2
3 **Motion approving the Mayor's appointment of Ryan Brooks to the Public Utilities**
4 **Commission, for the term ending January 15, 2008.**

5
6 WHEREAS, Pursuant to Charter Section 3.100, the Mayor has submitted a
7 communication notifying the Board of Supervisors of the appointment of Ryan Brooks to the
8 Public Utilities Commission, received by the Clerk of the Board on August 30, 2004; and

9 WHEREAS, Under Charter Section 3.100, the Board of Supervisors has the authority
10 to reject the appointment by a two-thirds vote (eight votes) within thirty days following
11 transmittal of the Mayor's Notice of Appointment, and the failure of the Board to reject the
12 appointment by two-thirds vote within the thirty day time period shall result in the appointee
13 continuing to serve as appointed; and

14 WHEREAS, The Board of Supervisors, by Motion 01-34, established a process to
15 review the Mayor's appointment to the Public Utilities Commission; now, therefore, be it

16 MOVED, That the Board of Supervisors hereby approves the Mayor's appointment of
17 Ryan Brooks to the Public Utilities Commission, for the term ending January 15, 2008.

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DOCUMENTS DEPT.

OCT 12 2004

Clerk of the Board of Supervisors
BOARD OF SUPERVISORS

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Page 1
9/1/2004



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 041226

Date Passed: September 21, 2004

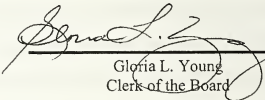
Motion approving the Mayor's appointment of Ryan Brooks to the Public Utilities Commission, for the term ending January 15, 2008.

September 21, 2004 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval

File No. 041226

I hereby certify that the foregoing Motion was APPROVED on September 21, 2004 by the Board of Supervisors of the City and County of San Francisco.


Gloria L. Young
Clerk of the Board

1 [Appointment, Public Utilities Commission]

2
3 **Motion approving the Mayor's appointment of Richard Sklar to the Public Utilities**
4 **Commission, for the term ending January 15, 2008.**

5
6 WHEREAS, Pursuant to Charter Section 3.100, the Mayor has submitted a
7 communication notifying the Board of Supervisors of the appointment of Richard Sklar to the
8 Public Utilities Commission, received by the Clerk of the Board on August 30, 2004 and

9 WHEREAS, Under Charter Section 3.100, the Board of Supervisors has the authority
10 to reject the appointment by a two-thirds vote (eight votes) within thirty days following
11 transmittal of the Mayor's Notice of Appointment, and the failure of the Board to reject the
12 appointment by two-thirds vote within the thirty day time period shall result in the appointee
13 continuing to serve as appointed; and

14 WHEREAS, The Board of Supervisors, by Motion 01-34, established a process to
15 review the Mayor's appointment to the Public Utilities Commission; now, therefore, be it

16 MOVED, That the Board of Supervisors hereby approves the Mayor's appointment of
17 Richard Sklar to the Public Utilities Commission, for the term ending January 15, 2008.

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24 DOCUMENTS DEPT.

25 OCT 12 2004

Clerk of the Board of Supervisors
BOARD OF SUPERVISORS

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Page 1
9/1/2004



City and County of San Francisco

Tails Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 041229

Date Passed: September 21, 2004

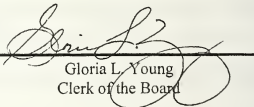
Motion approving the Mayor's appointment of Richard Sklar to the Public Utilities Commission, for the term ending January 15, 2008.

September 21, 2004 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma, Maxwell,
McGoldrick, Peskin, Sandoval

File No. 041229

I hereby certify that the foregoing Motion
was APPROVED on September 21, 2004 by
the Board of Supervisors of the City and
County of San Francisco.


Gloria L. Young
Clerk of the Board

1 [Declaration of Emergency]

2
3 **Motion concurring in the determination of the Mayor for the continued need for the**
4 **declaration of emergency in connection with the needle exchange program.**

5
6 WHEREAS, On March 15, 1993, the Mayor declared a local emergency to exist in
7 connection with the AIDS epidemic and the high rate of HIV infection among injection drug
8 users and the corresponding high rate of transmission of the disease; and

9 WHEREAS, The Mayor directed the Department of Public Health to take immediate
10 steps to implement a needle exchange program in order to prevent the further spread of HIV
11 infection; and

12 WHEREAS, The Board of Supervisors adopted a resolution concurring in the
13 declaration of emergency and in the Mayor's directive to the Department of Public Health;
14 and

15 WHEREAS, Government Code Section 8630 requires the Board of Supervisors to
16 review the need for continuing the local emergency at least every 14 days; and

17 WHEREAS, The Mayor has determined that the conditions that gave rise to the need
18 for the declaration of emergency still exist and that the need for the declaration of emergency
19 continues; now, therefore, be it

20 MOVED, That the Board of Supervisors hereby concurs in the determination of the
21 Mayor for the continued need for the declaration of emergency in connection with the needle
22 exchange program.

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DOCUMENTS DEPT.

OCT 12 2004



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 041241

Date Passed: September 21, 2004

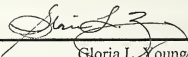
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

September 21, 2004 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval

File No. 041241

I hereby certify that the foregoing Motion was APPROVED on September 21, 2004 by the Board of Supervisors of the City and County of San Francisco.



Gloria L. Young
Clerk of the Board

[Approving request of the Clerk of the Board of Supervisors to carry forward from the Fiscal Year 2003-2004 Budget unexpended annual budget appropriations in the amount of approximately \$436,820.]

Motion approving the request of the Clerk of the Board of Supervisors to carry forward from the Fiscal Year 2003-2004 Budget unexpended annual budget appropriations in the amount of approximately \$436,820 to provide funds for the first phase of costs associated with the legislative tracking system replacement.

WHEREAS, The Board of Supervisors' legislative tracking system is currently obsolete and is not supported by Microsoft or the vendor, Daystar; and,

WHEREAS, During the Board of Supervisors' approval of the Fiscal Year (FY) 2004-2005 annual budget, the issue of the need to replace the legislative tracking system was discussed; and,

WHEREAS, The Board of Supervisors' approval of the FY 2004-2005 annual budget included authorizing the Clerk of the Board to collect funds from enterprise departments for placement of official advertising in adjudicated newspapers and to recoup payments for ads placed during FY 2003-2004 and,

WHEREAS, The Office of the Clerk of the Board has made a concerted effort during FY 2003-2004 to reduce its line item expenditures; and,

WHEREAS, The estimated savings of \$436,820 includes recouping \$154,000 from the Airport for the Budget Analyst management audit; and

WHEREAS, The Office of the Clerk of the Board has estimated a savings of \$436,820 from FY 2003-2004 that may be reduced by \$100,000 pending recouping funds from the enterprise departments for official advertisement and \$30,000 for the salary and attrition for full staffing of the Office of Legislative Analyst; now therefore, be it

1 MOVED, That the Board of Supervisors authorizes the Clerk of the Board to carry
2 forward from the FY 2003-2004 Budget unexpended annual budget appropriations in an
3 amount not to exceed \$436,820 to provide funds for the first phase of costs associated with
4 the legislative tracking system replacement.
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City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails

Motion

File Number: 041290

Date Passed: September 21, 2004

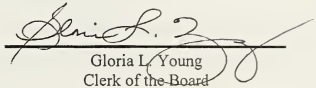
Motion approving the request of the Clerk of the Board of Supervisors to carry forward from the Fiscal Year 2003-2004 Budget unexpended annual budget appropriations in the amount of approximately \$436,820 to provide funds for the first phase of costs associated with the legislative tracking system replacement.

September 21, 2004 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval

File No. 041290

I hereby certify that the foregoing Motion was APPROVED on September 21, 2004 by the Board of Supervisors of the City and County of San Francisco.


Gloria L. Young
Clerk of the Board

1 [Waiver Permitting City Employees to Assist the Department of Elections with the November
2 2, 2004 election.]

3 **Motion granting a waiver from the prohibition imposed by Charter section 13.104.5, to**
4 **permit City employees to assist the Department of Elections with the November 2, 2004**
5 **election.**

6
7 WHEREAS, San Francisco Charter section 13.104.5 prohibits City employees and
8 officers (other than the Director of Elections, an appointee of the Director of Elections or a
9 member of the Elections Commission) from performing "any function relating to the conduct of
10 an election;" and,

11 WHEREAS, Charter section 13.104.5 authorizes the Board of Supervisors, upon the
12 request of the Elections Commission, to waive this prohibition by motion; and,

13 WHEREAS, On August 18, 2004 the Elections Commission requested that the Board
14 of Supervisors waive this prohibition to permit City employees to assist the Department of
15 Elections with the November 2, 2004 election; now, therefore, be it

16
17 **MOVED, the Board of Supervisors waives the prohibition imposed by Charter section**
18 **13.104.5, to permit City employees to assist the Department of Elections before, during and**
19 **after the November 2, 2004 election.**



City and County of San Francisco

Tails

Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 041094

Date Passed:

Motion granting a waiver from the prohibition imposed by Charter section 13.104.5, to permit City employees to assist the Department of Elections with the November 2, 2004 election.

September 28, 2004 Board of Supervisors — APPROVED

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell,
McGoldrick, Peskin, Sandoval
Noes: 1 - Gonzalez

File No. 041094

I hereby certify that the foregoing Motion
was APPROVED on September 28, 2004 by
the Board of Supervisors of the City and
County of San Francisco.

A handwritten signature in cursive script, appearing to read "Gloria L. Young", written over a horizontal line.

Gloria L. Young
Clerk of the Board

1 [Confirming Philip Ginsburg as Human Resources Director]

2
3 **Motion confirming Philip Ginsburg as Human Resources Director.**

4
5 WHEREAS, Charter Section 10.103 states that: "A Human Resources Director shall
6 be selected by the Mayor from candidates nominated by the Civil Service Commission and
7 confirmed by vote of the Board of Supervisors"; and,

8 WHEREAS, The Mayor has selected Philip Ginsburg as the Human Resources
9 Director from candidates nominated by the Civil Service Commission; and,

10 WHEREAS, The Board of Supervisors wishes to confirm Philip Ginsburg as Human
11 Resources Director; now, therefore, be it

12 MOVED, That Philip Ginsburg is confirmed as Human Resources Director for the City
13 and County of San Francisco.



City and County of San Francisco

Tails Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 041252

Date Passed: October 5, 2004

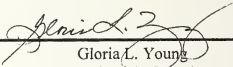
Motion confirming Philip Ginsburg as Human Resources Director.

October 5, 2004 Board of Supervisors — APPROVED

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma, Maxwell,
McGoldrick, Peskin
Absent: 1 - Sandoval

File No. 041252

I hereby certify that the foregoing Motion
was APPROVED on October 5, 2004 by the
Board of Supervisors of the City and County
of San Francisco.



Gloria L. Young
Clerk of the Board

1 [Declaration of Emergency]

2
3 **Motion concurring in the determination of the Mayor for the continued need for the**
4 **declaration of emergency in connection with the needle exchange program.**

5
6 WHEREAS, On March 15, 1993, the Mayor declared a local emergency to exist in
7 connection with the AIDS epidemic and the high rate of HIV infection among injection drug
8 users and the corresponding high rate of transmission of the disease; and

9 WHEREAS, The Mayor directed the Department of Public Health to take immediate
10 steps to implement a needle exchange program in order to prevent the further spread of HIV
11 infection; and

12 WHEREAS, The Board of Supervisors adopted a resolution concurring in the
13 declaration of emergency and in the Mayor's directive to the Department of Public Health;
14 and

15 WHEREAS, Government Code Section 8630 requires the Board of Supervisors to
16 review the need for continuing the local emergency at least every 14 days; and

17 WHEREAS, The Mayor has determined that the conditions that gave rise to the need
18 for the declaration of emergency still exist and that the need for the declaration of emergency
19 continues; now, therefore, be it

20 MOVED, That the Board of Supervisors hereby concurs in the determination of the
21 Mayor for the continued need for the declaration of emergency in connection with the needle
22 exchange program.

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DOCUMENTS DEPT.

OCT 12 2004



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 041349

Date Passed: October 5, 2004

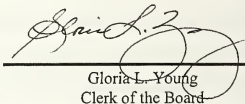
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

October 5, 2004 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval

File No. 041349

I hereby certify that the foregoing Motion was APPROVED on October 5, 2004 by the Board of Supervisors of the City and County of San Francisco.



Gloria L. Young
Clerk of the Board

1 [Supporting San Francisco Board of Supervisors/Clerk of the Board's Telecommute Pilot
2 Project.]

3 **Motion supporting the San Francisco Board of Supervisors/Clerk of the Board's**
4 **Telecommute Pilot Project.**

5
6 WHEREAS, The Office of the Clerk of the Board created the Board of
7 Supervisors/Clerk of the Board's Alternative Work Schedule in 2002; and

8 WHEREAS, The Alternative Work Schedule also addressed the need to allow for
9 alternative ways to work including establishing alternative work sites; and

10 WHEREAS, The Clerk of the Board of Supervisors has participated in the Future of
11 Work to address alternative ways to work in order to achieve maximum productivity including
12 in the event of a disaster; and

13 WHEREAS, The Clerk of the Board of Supervisors initiated the alternative work
14 schedule for employees which has proven to be successful; and

15 WHEREAS, The Clerk of the Board of Supervisors is now ready to pursue a
16 telecommuting pilot project; and

17 WHEREAS, SUN MICROSYSTEMS and SBC are considering partnering with the
18 Office of the Clerk of the Board to provide the necessary expertise and support to initiate a
19 telecommuting pilot project; and

20 WHEREAS, This project will support the initiatives outlined in the Office of the Clerk of
21 the Board's Alternative Work Schedule and its Efficiency Plan; now, therefore, be it

22 **MOVED, That the Board of Supervisors supports the San Francisco Board of**
23 **Supervisors/Clerk of the Board's Telecommute Pilot Project.**



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 041382

Date Passed: October 5, 2004

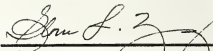
Motion supporting the San Francisco Board of Supervisors/Clerk of the Board's Telecommute Pilot Project

October 5, 2004 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval

File No. 041382

I hereby certify that the foregoing Motion was APPROVED on October 5, 2004 by the Board of Supervisors of the City and County of San Francisco.


Gloria L. Young
Clerk of the Board

1 [Appointment - Board of Appeals]
2

3 **Motion approving the Mayor's appointment of Frank Fung to the Board of Appeals for**
4 **the term ending July 1, 2008.**

5
6 WHEREAS, Pursuant to Charter Section 4.106, the Mayor has submitted a
7 communication notifying the Board of Supervisors of the nomination of Frank Fung to the
8 Board of Appeals, received by the Clerk of the Board on August 24, 2004; and

9 WHEREAS, The Board of Supervisors, by Motion 02-80 established a process to
10 review the Mayor's nomination to the Board of Appeals; now, therefore, be it

11 **MOVED, That the Board of Supervisors hereby approves the Mayor's appointment of**
12 **Frank Fung to the Board of Appeals term ending July 1, 2008.**
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City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 041213

Date Passed: October 19, 2004

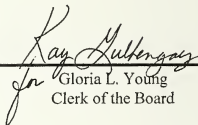
Motion approving the Mayor's appointment of Frank Fung to the Board of Appeals for the term ending July 1, 2008.

October 19, 2004 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma, Maxwell,
McGoldrick, Peskin, Sandoval

File No. 041213

I hereby certify that the foregoing Motion
was APPROVED on October 19, 2004 by the
Board of Supervisors of the City and County
of San Francisco.


Gloria L. Young
Clerk of the Board

1 [Appointment, Planning Commission]

2
3 **Motion approving the Mayor's appointment of Dwight Alexander to the Planning**
4 **Commission term ending July 1, 2008.**

5
6 WHEREAS, Pursuant to Charter Section 4.105, the Mayor's has submitted a
7 communication notifying the Board of Supervisors of the nomination of Dwight Alexander to
8 the Planning Commission, received by the Clerk of the Board on August 24, 2004; and

9 WHEREAS, The Board of Supervisors, by Motion 02-80 established a process to
10 review the Mayor's nomination to the Planning Commission; now, therefore, be it

11 MOVED, That the Board of Supervisors hereby approves the Mayor's appointment of
12 Dwight Alexander to the Planning Commission term ending July 1, 2008.



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails

Motion

File Number: 041215

Date Passed: October 19, 2004

Motion approving the Mayor's appointment of Dwight Alexander to the Planning Commission term ending July 1, 2008.

October 5, 2004 Board of Supervisors — CONTINUED

Ayes: 6 - Ammiano, Daly, Gonzalez, McGoldrick, Peskin, Sandoval

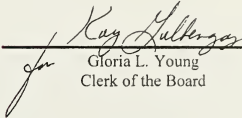
Noes: 5 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell

October 19, 2004 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma, Maxwell,
McGoldrick, Peskin, Sandoval

File No. 041215

I hereby certify that the foregoing Motion
was APPROVED on October 19, 2004 by the
Board of Supervisors of the City and County
of San Francisco.


Gloria L. Young
Clerk of the Board

1 [Appointment - Planning Commission]
2

3 **Motion approving the Mayor's appointment of Dr. Michael Antonini to the Planning**
4 **Commission term ending July 1, 2008.**
5

6 WHEREAS, Pursuant to Charter Section 4.105, the Mayor has submitted a
7 communication notifying the Board of Supervisors of the nomination of Dr. Michael Antonini to
8 the Planning Commission, received by the Clerk of the Board on August 24, 2004; and

9 WHEREAS, The Board of Supervisors, by Motion 02-80 established a process to
10 review the Mayor's nomination to the Planning Commission; now, therefore, be it

11 **MOVED, That the Board of Supervisors hereby approves the Mayor's appointment of**
12 **Dr. Michael Antonini to the Planning Commission term ending July 1, 2008.**
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City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails

Motion

File Number: 041220

Date Passed: October 19, 2004

Motion approving the Mayor's appointment of Dr. Michael Antonini to the Planning Commission term ending July 1, 2008.

October 5, 2004 Board of Supervisors — CONTINUED

Ayes: 6 - Ammiano, Daly, Gonzalez, McGoldrick, Peskin, Sandoval

Noes: 5 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell

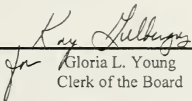
October 19, 2004 Board of Supervisors — APPROVED

Ayes: 9 - Alioto-Pier, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Noes: 2 - Ammiano, Daly

File No. 041220

I hereby certify that the foregoing Motion
was APPROVED on October 19, 2004 by the
Board of Supervisors of the City and County
of San Francisco.


for Gloria L. Young
Clerk of the Board

1 [Declaration of Emergency]

2
3 **Motion concurring in the determination of the Mayor for the continued need for the**
4 **declaration of emergency in connection with the needle exchange program.**

5
6 WHEREAS, On March 15, 1993, the Mayor declared a local emergency to exist in
7 connection with the AIDS epidemic and the high rate of HIV infection among injection drug
8 users and the corresponding high rate of transmission of the disease; and

9 WHEREAS, The Mayor directed the Department of Public Health to take immediate
10 steps to implement a needle exchange program in order to prevent the further spread of HIV
11 infection; and

12 WHEREAS, The Board of Supervisors adopted a resolution concurring in the
13 declaration of emergency and in the Mayor's directive to the Department of Public Health;
14 and

15 WHEREAS, Government Code Section 8630 requires the Board of Supervisors to
16 review the need for continuing the local emergency at least every 14 days; and

17 WHEREAS, The Mayor has determined that the conditions that gave rise to the need
18 for the declaration of emergency still exist and that the need for the declaration of emergency
19 continues; now, therefore, be it

20 MOVED, That the Board of Supervisors hereby concurs in the determination of the
21 Mayor for the continued need for the declaration of emergency in connection with the needle
22 exchange program.



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 041390

Date Passed: October 19, 2004

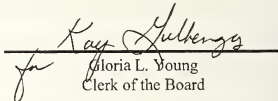
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

October 19, 2004 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval

File No. 041390

I hereby certify that the foregoing Motion was APPROVED on October 19, 2004 by the Board of Supervisors of the City and County of San Francisco.


Gloria L. Young
Clerk of the Board

[Final Map for a 7 Unit Commercial / Residential Condominium Project]

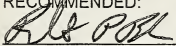
Motion approving Final Map of 807 Columbus Avenue, A Commercial / Residential Condominium Project, being a subdivision of Lot 3 in Assessor's Block No. 74, and adopting findings pursuant to Planning Code Section 101.1.

MOVED, That the certain map entitled "Map of 807 Columbus Avenue, A Commercial / Residential Condominium Project," being a subdivision of Lot 3, Portion of Assessor's Block No. 74, comprising 6 sheets, approved the 6th Day of October, 2004 by Department of Public Works Order No. 175,037, be and the same is hereby approved and adopted as the Official Map of Map of 807 Columbus Avenue, A Commercial/Residential Condominium Project.

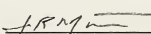
FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the Planning Department, by its letter dated April 1, 2004, that the project intended by the map is consistent with the General Plan and the Priority Policies of Planning Code Section 101.1.

FURTHER MOVED, That approval of this map is also contingent upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

RECOMMENDED:


Edwin M. Lee
Director of Public Works

DESCRIPTION APPROVED:


John R. Martin, L.S.
County Surveyor



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 041438

Date Passed: October 26, 2004

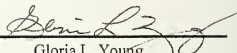
Motion approving Final Map of 807 Columbus Avenue, A Commercial / Residential Condominium Project, being a subdivision of Lot 3 in Assessor's Block No. 74, and adopting findings pursuant to Planning Code Section 101.1.

October 26, 2004 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma, Maxwell,
McGoldrick, Peskin, Sandoval

File No. 041438

I hereby certify that the foregoing Motion
was APPROVED on October 26, 2004 by the
Board of Supervisors of the City and County
of San Francisco.


Gloria L. Young
Clerk of the Board

1 [Emergency Declaration Concurrence.]
2

3 **Motion concurring in the October 12, 2004 Declaration of the Existence of a Local**
4 **Emergency for Limited Purposes by the Mayor, and in the actions taken to meet the**
5 **emergency.**

6 WHEREAS, On October 12, 2004, Mayor Gavin Newsom declared a local emergency
7 to exist for certain limited purposes in connection with the inadequate supply of influenza
8 vaccine in the Bay Area this flu season, following last week's announcement that nearly 50
9 million doses of influenza vaccine manufactured by Chiron would not be shipped; and

10 WHEREAS, The State of California's heavy dependence on Chiron to supply the vast
11 majority of influenza vaccine for this year and the City and County of San Francisco's large
12 population of elderly and immuno-compromised people, make the City vulnerable to unusually
13 high rates of severe illness, hospitalization, and death this flu season; and

14 WHEREAS, Government Code Sections 8500 et seq. and Charter Section 3.100
15 provide for the concurrence by members of the Board of Supervisors in such emergency
16 declaration, and in action taken by the Mayor to meet the emergency; and

17 WHEREAS, The State of California's Public Health Officer issued a Public Health
18 Order on October 8, 2004, "directing all healthcare providers in the state to limit flu shots only
19 to individuals in 'high-risk categories' and to refrain from immunizing healthy individuals in
20 response to a national shortage of flu vaccine...[and] to screen individuals seeking flu shots to
21 ensure that the vaccine is limited to the state's most vulnerable residents"; and

22 WHEREAS, The Mayor is informed and believes that the Counties of Alameda, Contra
23 Costa, San Mateo, and Santa Clara intend to declare local states of emergency in their
24
25

1 respective counties regarding the inadequate supply of influenza vaccine in the Bay Area this
2 flu season; and

3 WHEREAS, Members of the Board of Supervisors heard reports from the Mayor and
4 from the Director of Health concerning the inadequate supply of influenza vaccine in the Bay
5 Area this flu season and the vulnerability of the City's large population of elderly and immuno-
6 compromised people to unusually high rates of severe illness, hospitalization, and death this
7 flu season, and reviewed the Mayor's emergency proclamation; now, therefore, be it

8 MOVED, That the Board of Supervisors concurs with the declaration of emergency
9 issued by the Mayor, and in the actions taken by the Mayor to meet the emergency; and be it

10 FURTHER MOVED, That the emergency powers invoked by the Mayor, and the orders
11 issued pursuant thereto, shall remain in effect only so long as conditions in the community
12 justifying the declaration of emergency continue to exist; and be it

13 FURTHER MOVED, That the Board of Supervisors shall regularly review the need for
14 continuing the local emergency as required by Government Code Section 8630.



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 041436

Date Passed: October 19, 2004

Emergency Declaration Concurrence

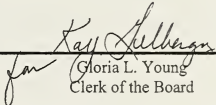
Motion concurring in the October 12, 2004 Declaration of the Existence of a Local Emergency for Limited Purposes by the Mayor, and in the actions taken to meet the emergency.

October 19, 2004 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval

File No. 041436

I hereby certify that the foregoing Motion was APPROVED on October 19, 2004 by the Board of Supervisors of the City and County of San Francisco.



for Gloria L. Young
Clerk of the Board

[Final Map for a 7 Unit Commercial / Residential Condominium Project]

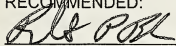
Motion approving Final Map of 807 Columbus Avenue, A Commercial / Residential Condominium Project, being a subdivision of Lot 3 in Assessor's Block No. 74, and adopting findings pursuant to Planning Code Section 101.1.

MOVED, That the certain map entitled "Map of 807 Columbus Avenue, A Commercial / Residential Condominium Project," being a subdivision of Lot 3, Portion of Assessor's Block No. 74, comprising 6 sheets, approved the 6th Day of October, 2004 by Department of Public Works Order No. 175,037, be and the same is hereby approved and adopted as the Official Map of Map of 807 Columbus Avenue, A Commercial/Residential Condominium Project.

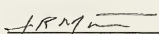
FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the Planning Department, by its letter dated April 1, 2004, that the project intended by the map is consistent with the General Plan and the Priority Policies of Planning Code Section 101.1.

FURTHER MOVED, That approval of this map is also contingent upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

RECOMMENDED:


Edwin M. Lee
Director of Public Works

DESCRIPTION APPROVED:


John R. Martin, L.S.
County Surveyor



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 041438

Date Passed: October 26, 2004

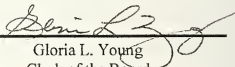
Motion approving Final Map of 807 Columbus Avenue, A Commercial / Residential Condominium Project, being a subdivision of Lot 3 in Assessor's Block No. 74, and adopting findings pursuant to Planning Code Section 101.1.

October 26, 2004 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma, Maxwell,
McGoldrick, Peskin, Sandoval

File No. 041438

I hereby certify that the foregoing Motion
was APPROVED on October 26, 2004 by the
Board of Supervisors of the City and County
of San Francisco.



Gloria L. Young
Clerk of the Board

[Hotel Worker Lockout – October 22 Committee of the Whole.]

Motion for the Board of Supervisors to convene as a committee of the whole on October 22, 2004 at 10:00 a.m. to consider the impact of the lockout of hotel employees by the San Francisco Hotels Multi-Employer Group and possible measures the City can take to ameliorate the situation.

WHEREAS, UNITEHERE Local 2 and the San Francisco Multi-Employers Group have been engaged in contract negotiations, and

WHEREAS, UNITEHERE Local 2 called for a limited two-week strike at 4 hotels; and

WHEREAS, The San Francisco Multi-Employers Group responded by locking out 4,300 Local 2 workers, and

WHEREAS, UNITEHERE Local 2 has agreed to a "cooling off period" and unilaterally and unconditionally commits to not strike until at least January 15th, 2005, and

WHEREAS, The San Francisco Multi-Employers Group has refused to abide by a cooling-off period and has indicated an indefinite lockout; and

WHEREAS, A lockout poses significant threats to San Francisco's tourism base, now, therefore, be it

MOVED, That the City and County of San Francisco shall hereby convene as a committee of the whole on October 22, 2004 to consider the impact of the lockout of hotel employees by the San Francisco Hotels Multi-Employer Group and possible measures the City can take to ameliorate the situation.



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 041447

Date Passed: October 22, 2004

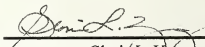
Motion for the Board of Supervisors to convene as a Committee of the Whole on October 22, 2004 at 10:00 a.m. to consider the impact of the lockout of hotel employees by the San Francisco Hotels Multi-Employer Group and possible measures the City can take to ameliorate the situation.

October 22, 2004 Board of Supervisors — APPROVED

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Maxwell,
McGoldrick, Peskin, Sandoval
Absent: 1 - Ma

File No. 041447

I hereby certify that the foregoing Motion
was APPROVED on October 22, 2004 by the
Board of Supervisors of the City and County
of San Francisco.


Gloria L. Young
Clerk of the Board

[Final Map for a 174 Unit Residential / Commercial Condominium Project]

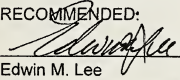
Motion approving Final Map of 199 New Montgomery Street, A Residential / Commercial Condominium Project, being a subdivision of Lot 21 in Assessor's Block No. 3722, and adopting findings pursuant to Planning Code Section 101.1.

MOVED, That the certain map entitled "Map of 199 New Montgomery Street, A Residential / Commercial Condominium Project," being a subdivision of Lot 21, Portion of Assessor's Block No. 3722, comprising 10 sheets, approved the 20th Day of October, 2004 by Department of Public Works Order No. 175,052, be and the same is hereby approved and adopted as the Official Map of Map of 199 New Montgomery Street, A Residential / Commercial Condominium Project.

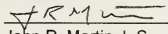
FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the Planning Department, by its letter dated September 18, 2003, that the project intended by the map is consistent with the General Plan and the Priority Policies of Planning Code Section 101.1.

FURTHER MOVED, That approval of this map is also contingent upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

RECOMMENDED:


Edwin M. Lee
Director of Public Works

DESCRIPTION APPROVED:


John R. Martin, L.S.
County Surveyor



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 041439

Date Passed: November 2, 2004

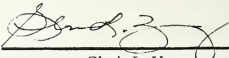
Motion approving Final Map of 199 New Montgomery Street, A Residential / Commercial Condominium Project, being a subdivision of Lot 21 in Assessor's Block No. 3722, and adopting findings pursuant to Planning Code Section 101.1.

November 2, 2004 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval

File No. 041439

I hereby certify that the foregoing Motion was APPROVED on November 2, 2004 by the Board of Supervisors of the City and County of San Francisco.



Gloria L. Young
Clerk of the Board

[Final Map for a 114 Unit Mixed Use Condominium Project]

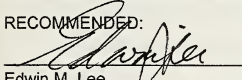
Motion approving Final Map of 88 Townsend Street, A Mixed Use Condominium Project, being a subdivision of Lot 857 in Assessor's Block No. 3789, and adopting findings pursuant to Planning Code Section 101.1.

MOVED, That the certain map entitled "Map of 88 Townsend Street, a Mixed Use Condominium Project," being a subdivision of Lot 857, Portion of Assessor's Block No. 3789, comprising 12 sheets, approved the 25th Day of October, 2004 by Department of Public Works Order No. 175,064, be and the same is hereby approved and adopted as the Official Map of Map of 88 Townsend Street, a Mixed Use Condominium Project.

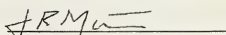
FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the Planning Department, by its letter dated December 22, 2003, that the project intended by the map is consistent with the General Plan and the Priority Policies of Planning Code Section 101.1.

FURTHER MOVED, That approval of this map is also contingent upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

RECOMMENDED:


Edwin M. Lee
Director of Public Works

DESCRIPTION APPROVED:


John R. Martin, L.S.
County Surveyor



City and County of San Francisco

City Hall
1 Dr Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 041440

Date Passed: November 2, 2004

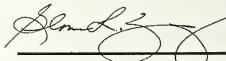
Motion approving Final Map of 88 Townsend Street, A Mixed Use Condominium Project, being a subdivision of Lot 857 in Assessor's Block No. 3789, and adopting findings pursuant to Planning Code Section 101.1.

November 2, 2004 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval

File No. 041440

I hereby certify that the foregoing Motion was APPROVED on November 2, 2004 by the Board of Supervisors of the City and County of San Francisco.



Gloria L. Young
Clerk of the Board

1 [Declaration of Emergency]

2
3 **Motion concurring in the determination of the Mayor for the continued need for the**
4 **declaration of emergency in connection with the needle exchange program.**

5
6 WHEREAS, On March 15, 1993, the Mayor declared a local emergency to exist in
7 connection with the AIDS epidemic and the high rate of HIV infection among injection drug
8 users and the corresponding high rate of transmission of the disease; and

9 WHEREAS, The Mayor directed the Department of Public Health to take immediate
10 steps to implement a needle exchange program in order to prevent the further spread of HIV
11 infection; and

12 WHEREAS, The Board of Supervisors adopted a resolution concurring in the
13 declaration of emergency and in the Mayor's directive to the Department of Public Health;
14 and

15 WHEREAS, Government Code Section 8630 requires the Board of Supervisors to
16 review the need for continuing the local emergency at least every 14 days; and

17 WHEREAS, The Mayor has determined that the conditions that gave rise to the need
18 for the declaration of emergency still exist and that the need for the declaration of emergency
19 continues; now, therefore, be it

20 MOVED, That the Board of Supervisors hereby concurs in the determination of the
21 Mayor for the continued need for the declaration of emergency in connection with the needle
22 exchange program.



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 041485

Date Passed: November 2, 2004

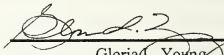
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

November 2, 2004 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval

File No. 041485

I hereby certify that the foregoing Motion was APPROVED on November 2, 2004 by the Board of Supervisors of the City and County of San Francisco.


Gloria L. Young
Clerk of the Board

1 [Emergency Declaration Concurrence.]

2
3 **Motion concurring in the October 12, 2004 Declaration of the Existence of a Local**
4 **Emergency for Limited Purposes by the Mayor, and in the actions taken to meet the**
5 **emergency.**

6 WHEREAS, On October 12, 2004, Mayor Gavin Newsom declared a local emergency
7 to exist for certain limited purposes in connection with the inadequate supply of influenza
8 vaccine in the Bay Area this flu season, following last week's announcement that nearly 50
9 million doses of influenza vaccine manufactured by Chiron would not be shipped; and

10 WHEREAS, The State of California's heavy dependence on Chiron to supply the vast
11 majority of influenza vaccine for this year and the City and County of San Francisco's large
12 population of elderly and immuno-compromised people, make the City vulnerable to unusually
13 high rates of severe illness, hospitalization, and death this flu season; and

14 WHEREAS, Government Code Sections 8500 et seq. and Charter Section 3.100
15 provide for the concurrence by members of the Board of Supervisors in such emergency
16 declaration, and in action taken by the Mayor to meet the emergency; and

17 WHEREAS, The State of California's Public Health Officer issued a Public Health
18 Order on October 8, 2004, "directing all healthcare providers in the state to limit flu shots only
19 to individuals in 'high-risk categories' and to refrain from immunizing healthy individuals in
20 response to a national shortage of flu vaccine...[and] to screen individuals seeking flu shots to
21 ensure that the vaccine is limited to the state's most vulnerable residents"; and

22 WHEREAS, The Mayor is informed and believes that the Counties of Alameda, Contra
23 Costa, San Mateo, and Santa Clara intend to declare local states of emergency in their
24
25

Mayor Gavin Newsom, Supervisors Deftel, Ammend

DOCUMENTS DEPT.

NOV 16 2004

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1 respective counties regarding the inadequate supply of influenza vaccine in the Bay Area this
2 flu season; and

3 WHEREAS, Members of the Board of Supervisors heard reports from the Mayor and
4 from the Director of Health concerning the inadequate supply of influenza vaccine in the Bay
5 Area this flu season and the vulnerability of the City's large population of elderly and immuno-
6 compromised people to unusually high rates of severe illness, hospitalization, and death this
7 flu season, and reviewed the Mayor's emergency proclamation; now, therefore, be it

8 MOVED, That the Board of Supervisors concurs with the declaration of emergency
9 issued by the Mayor, and in the actions taken by the Mayor to meet the emergency; and be it

10 FURTHER MOVED, That the emergency powers invoked by the Mayor, and the orders
11 issued pursuant thereto, shall remain in effect only so long as conditions in the community
12 justifying the declaration of emergency continue to exist; and be it

13 FURTHER MOVED, That the Board of Supervisors shall regularly review the need for
14 continuing the local emergency as required by Government Code Section 8630.



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 041486

Date Passed: November 2, 2004

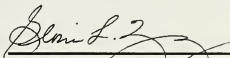
Motion concurring in the October 12, 2004 Declaration of the Existence of a Local Emergency for Limited Purposes by the Mayor, and in the actions taken to meet the emergency.

November 2, 2004 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval

File No. 041486

I hereby certify that the foregoing Motion was APPROVED on November 2, 2004 by the Board of Supervisors of the City and County of San Francisco.



Gloria L. Young
Clerk of the Board

1 [Declaration of Emergency]

2
3 **Motion concurring in the determination of the Mayor for the continued need for the**
4 **declaration of emergency in connection with the needle exchange program.**
5

6 WHEREAS, On March 15, 1993, the Mayor declared a local emergency to exist in
7 connection with the AIDS epidemic and the high rate of HIV infection among injection drug
8 users and the corresponding high rate of transmission of the disease; and

9 WHEREAS, The Mayor directed the Department of Public Health to take immediate
10 steps to implement a needle exchange program in order to prevent the further spread of HIV
11 infection; and

12 WHEREAS, The Board of Supervisors adopted a resolution concurring in the
13 declaration of emergency and in the Mayor's directive to the Department of Public Health;
14 and

15 WHEREAS, Government Code Section 8630 requires the Board of Supervisors to
16 review the need for continuing the local emergency at least every 14 days; and

17 WHEREAS, The Mayor has determined that the conditions that gave rise to the need
18 for the declaration of emergency still exist and that the need for the declaration of emergency
19 continues; now, therefore, be it

20 MOVED, That the Board of Supervisors hereby concurs in the determination of the
21 Mayor for the continued need for the declaration of emergency in connection with the needle
22 exchange program.
23

24 DOCUMENTS DEPT.

25 DEC - 7 2004

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City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 041530

Date Passed: November 16, 2004

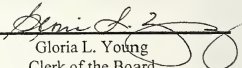
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

November 16, 2004 Board of Supervisors — APPROVED

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Maxwell,
Peskin, Sandoval
Excused: 2 - Ma, McGoldrick

File No. 041530

I hereby certify that the foregoing Motion
was APPROVED on November 16, 2004 by
the Board of Supervisors of the City and
County of San Francisco.


Gloria L. Young
Clerk of the Board

1 [Emergency Declaration Concurrence – Influenza Vaccine.]

2
3 **Motion concurring in the October 12, 2004 Declaration of the Existence of a Local**
4 **Emergency for Limited Purposes by the Mayor, and in the actions taken to meet the**
5 **emergency.**

6 WHEREAS, On October 12, 2004, Mayor Gavin Newsom declared a local emergency
7 to exist for certain limited purposes in connection with the inadequate supply of influenza
8 vaccine in the Bay Area this flu season, following last week's announcement that nearly 50
9 million doses of influenza vaccine manufactured by Chiron would not be shipped; and

10 WHEREAS, The State of California's heavy dependence on Chiron to supply the vast
11 majority of influenza vaccine for this year and the City and County of San Francisco's large
12 population of elderly and immuno-compromised people, make the City vulnerable to unusually
13 high rates of severe illness, hospitalization, and death this flu season; and

14 WHEREAS, Government Code Sections 8500 et seq. and Charter Section 3.100
15 provide for the concurrence by members of the Board of Supervisors in such emergency
16 declaration, and in action taken by the Mayor to meet the emergency; and

17 WHEREAS, The State of California's Public Health Officer issued a Public Health
18 Order on October 8, 2004, "directing all healthcare providers in the state to limit flu shots only
19 to individuals in 'high-risk categories' and to refrain from immunizing healthy individuals in
20 response to a national shortage of flu vaccine...[and] to screen individuals seeking flu shots to
21 ensure that the vaccine is limited to the state's most vulnerable residents"; and

22 WHEREAS, The Mayor is informed and believes that the Counties of Alameda, Contra
23 Costa, San Mateo, and Santa Clara intend to declare local states of emergency in their
24
25

DOCUMENTS DEPT.

Mayor Gavin Newsom

DEC - 7 2004

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Page 1
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1 respective counties regarding the inadequate supply of influenza vaccine in the Bay Area this
2 flu season; and

3 WHEREAS, Members of the Board of Supervisors heard reports from the Mayor and
4 from the Director of Health concerning the inadequate supply of influenza vaccine in the Bay
5 Area this flu season and the vulnerability of the City's large population of elderly and immuno-
6 compromised people to unusually high rates of severe illness, hospitalization, and death this
7 flu season, and reviewed the Mayor's emergency proclamation; now, therefore, be it

8 MOVED, That the Board of Supervisors concurs with the declaration of emergency
9 issued by the Mayor, and in the actions taken by the Mayor to meet the emergency; and be it

10 FURTHER MOVED, That the emergency powers invoked by the Mayor, and the orders
11 issued pursuant thereto, shall remain in effect only so long as conditions in the community
12 justifying the declaration of emergency continue to exist; and be it

13 FURTHER MOVED, That the Board of Supervisors shall regularly review the need for
14 continuing the local emergency as required by Government Code Section 8630.



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 041531

Date Passed: November 16, 2004

Motion concurring in the October 12, 2004 Declaration of the Existence of a Local Emergency for Limited Purposes by the Mayor, and in the actions taken to meet the emergency.

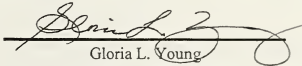
November 16, 2004 Board of Supervisors — APPROVED

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Maxwell,
Peskin, Sandoval

Excused: 2 - Ma, McGoldrick

File No. 041531

I hereby certify that the foregoing Motion
was APPROVED on November 16, 2004 by
the Board of Supervisors of the City and
County of San Francisco.


Gloria L. Young
Clerk of the Board

1 [Emergency Disadvantaged Business Enterprise Program – Suspending 30 Day Rule.]

2
3 Motion suspending Rule 5.40 of the Rules of Order of the Board of Supervisors to allow
4 the Board of Supervisors to consider, without waiting 30 days after its introduction, a
5 proposed emergency ordinance reenacting a Disadvantaged Business Enterprise
6 Program set forth in Chapter 14A of the San Francisco Administrative Code;
7 suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination
8 in City contracting; and adopting a declaration of emergency.

9
10 WHEREAS, Rule 5.40 of the Rules of Order of the Board of Supervisors requires that
11 when a measure is introduced that would create or revise major City policy, the measure shall
12 not be considered until at least thirty days after the day of the measure's introduction; and,

13 WHEREAS, Rule 4.37 of the Rules of Order allows Rule 5.40 to be suspended by the
14 affirmative vote of eight members of the Board, unless there are less than eight Board
15 members present, in which case the unanimous consent of the members present, but not less
16 than six members, shall be required; and,

17 WHEREAS, The members of the Board of Supervisors wish to suspend the operation
18 of Rule 5.40 with regard to the consideration of the proposed emergency ordinance
19 reenacting a Disadvantaged Business Enterprise program, suspending Chapter 12D.A,
20 providing for data collection to ensure nondiscrimination in City contracting; and adopting a
21 declaration of emergency; now, therefore,

22 BE IT MOVED, That the Board of Supervisors of the City and County of San Francisco,
23 as allowed by Rule 4.37 of its Rules of Order, hereby suspends the operation of Rule 5.40 of
24 the Board's Rules of Order from operating with regard to the Board's consideration of the
25 proposed emergency ordinance reenacting a Disadvantaged Business Enterprise program.



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 041546

Date Passed: November 16, 2004

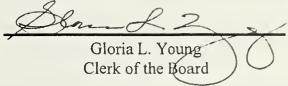
Motion suspending Rule 5.40 of the Rules of Order of the Board of Supervisors to allow the Board of Supervisors to consider, without waiting 30 days after its introduction, a proposed emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency.

November 16, 2004 Board of Supervisors — APPROVED

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Maxwell,
Peskin, Sandoval
Excused: 2 - Ma, McGoldrick

File No. 041546

I hereby certify that the foregoing Motion
was APPROVED on November 16, 2004 by
the Board of Supervisors of the City and
County of San Francisco.


Gloria L. Young
Clerk of the Board

1 [Emergency Disadvantaged Business Enterprise Program – November 23 Committee of the
2 Whole.]

3 **Motion for the Board of Supervisors to convene as a committee of the whole on**
4 **November 23, 2004, at 4:00 p.m. to accept public testimony concerning the possible**
5 **adoption of an emergency ordinance reenacting a Disadvantaged Business Enterprise**
6 **Program set forth in Chapter 14A of the San Francisco Administrative Code;**
7 **suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination**
8 **in City contracting; and adopting a declaration of emergency.**

9 WHEREAS, A recent San Francisco Superior Court decision has resulted in the need
10 for the City and County of San Francisco to consider immediately how best to implement a
11 revised public contracting program to assist disadvantaged businesses conducting business
12 with the City and County; and,

13 WHEREAS, The Board adopted by emergency ordinance an interim Disadvantaged
14 Business Enterprise Program ("DBE"); and,

15 WHEREAS, The Board wishes to consider emergency legislation to reenact this DBE
16 program in order to address the immediate need to avoid confusion and delay in public
17 contracting, and November 23, 2004 is the next available meeting for Board consideration of
18 this issue; and,

19 WHEREAS, Public testimony will be required before the Board may take any action on
20 any proposed ordinances that would address this issue; now, therefore, be it

21 MOVED, That the Board of Supervisors of the City and County of San Francisco shall
22 hereby convene as a committee of the whole on November 23, 2004 to accept public
23 testimony concerning the possible adoption of an emergency ordinance reenacting a
24 Disadvantaged Business Enterprise Program.



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 041547

Date Passed: November 16, 2004

Motion for the Board of Supervisors to convene as a committee of the whole on November 23, 2004, at 4:00 p.m. to accept public testimony concerning the possible adoption of an emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency.

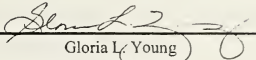
November 16, 2004 Board of Supervisors — APPROVED

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Maxwell,
Peskin, Sandoval

Excused: 2 - Ma, McGoldrick

File No. 041547

I hereby certify that the foregoing Motion
was APPROVED on November 16, 2004 by
the Board of Supervisors of the City and
County of San Francisco.



Gloria L. Young
Clerk of the Board

[Motion requesting the Controller to provide bi-monthly updates on progress implementing the City's ordinance requiring bar-coding or other means to track the permit approval process with the Department of Building Inspection.]

Motion requesting the Controller to provide bi-monthly updates on progress implementing the City's ordinance requiring bar-coding or other means to track the permit approval process with the Department of Building Inspection.

WHEREAS, The Board of Supervisors passed an ordinance on July 1, 2004, directing the Department of Building Inspection to improve its permit tracking system to allow for open and public review of the status, routing and location of pending permits; and,

WHEREAS, The ordinance directed DBI to consider implementing a system with as little manual intervention as possible, such as bar coding permit applications that would track when any City employee worked on a permit and the amount of time that employee spent working on that permit;

WHEREAS, Said ordinance is on file with the Clerk of the Board of Supervisors in File No. 040539, which is hereby declared to be a part of this motion as if set forth fully herein; and

WHEREAS, The Board of Supervisors has to date received no word about the progress of the permit tracking system; now, therefore, be it

MOVED, That the Board of Supervisors hereby requests the Controller to provide bi-monthly updates on progress implementing the City's ordinance requiring bar-coding or other means to track the permit approval process with the Department of Building Inspection.



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 041558

Date Passed: November 16, 2004

Motion requesting the Controller to provide bi-monthly updates on progress implementing the City's ordinance requiring bar-coding or other means to track the permit approval process with the Department of Building Inspection.

November 16, 2004 Board of Supervisors — APPROVED

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Maxwell,
Peskin, Sandoval

Excused: 2 - Ma, McGoldrick

File No. 041558

I hereby certify that the foregoing Motion
was APPROVED on November 16, 2004 by
the Board of Supervisors of the City and
County of San Francisco.

A handwritten signature in dark ink, appearing to read "Gloria L. Young", written over a horizontal line.

Gloria L. Young
Clerk of the Board

[Report for Interim Moratorium on Demolition of Single- and Dual- Screen Movie Theaters.]

Motion adopting and issuing the Legislative Analyst report concerning the Board's urgency Ordinance that imposed a 45-day interim moratorium on demolition of single- and dual- screen movie theaters.

WHEREAS, On October 14, 2004, the Board of Supervisors and Mayor adopted Ordinance No. 248-04, an urgency Ordinance that imposed a 45-day moratorium on the demolition of single- and dual-screen movie theaters. A copy of said Ordinance is on file with the Clerk of the Board of Supervisors in File No. 041137, and is incorporated herein by reference; and,

WHEREAS, Said Ordinance was adopted in accordance with California Government Code section 65858, which governs the adoption and extension of interim zoning moratoria; and,

WHEREAS, Government Code section 65858(d) requires the local legislative body, at least 10 days before the expiration of an interim zoning moratorium, to issue a written report describing the measures taken to alleviate the condition that led to the adoption of the moratorium; and,

WHEREAS, On October 27, 2004, the Legislative Analyst issued a report entitled "Interim Ordinance on Demolitions of Single and Dual Screen Movie Theaters" for the Board's consideration. A copy of said report is on file with the Clerk of the Board of Supervisors in File No. and is incorporated herein by reference; now, therefore, be it

MOVED, The Board of Supervisors, in accordance with California Government Code section 65858 and in furtherance of Ordinance No. 248-04, adopts as its own and formally

1 issues the Legislative Analyst report entitled "Interim Ordinance on Demolitions of Single and
2 Dual Screen Movie Theaters."
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City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 041562

Date Passed: November 16, 2004

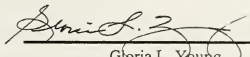
Motion adopting and issuing the Legislative Analyst report concerning the Board's urgency Ordinance that imposed a 45-day interim moratorium on demolition on single-and dual-screen movie theaters.

November 16, 2004 Board of Supervisors — APPROVED

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Maxwell,
Peskin, Sandoval
Excused: 2 - Ma, McGoldrick

File No. 041562

I hereby certify that the foregoing Motion
was APPROVED on November 16, 2004 by
the Board of Supervisors of the City and
County of San Francisco.



Gloria L. Young
Clerk of the Board

1 [FINAL MAP, PLANNED DEVELOPMENT, MISSION BAY]
2

3 Motion approving Final Map, Planned Development, Mission Bay (BLOCK N4A), a 4 lot
4 subdivision, being phase 2 of a subdivision of Assessor's Blocks 8704, 8705, 8707 and
5 8708 and adopting findings pursuant to the General Plan and City Planning Code
6 Section 101.1 and the Mission Bay North Redevelopment Plan and Plan Documents.
7

8 MOVED, that the certain map entitled "FINAL MAP, PLANNED DEVELOPMENT,
9 MISSION BAY, (N4A) BEING PHASE 2 OF A PLANNED DEVELOPMENT SUBDIVISION OF
10 ASSESSOR'S BLOCKS 8704, 8705, 8707 and 8708 AS SHOWN ON THAT CERTAIN MAP
11 ENTITLED "MAP OF MISSION BAY" RECORDED ON JULY 19, 1999 IN BOOK Z OF MAPS
12 AT PAGES 97-119, RECORDS OF THE CITY AND COUNTY OF SAN FRANCISCO,
13 CALIFORNIA, AND BEING MORE PARTICULARLY A SUBDIVISION OF SAID AB 8707,
14 LOT 1." comprising 5 sheets, approved September 22, 2004 by Department of Public Works
15 Order No. 174994 is approved and adopted as the Official Final Map of "Mission Bay" (for
16 Phase 2 of Assessor's Blocks 8704, 8705, 8707 and 8708).
17

18 FURTHER MOVED, that certain public improvements necessitated by the approval of
19 the Final Map have not been completed at this time, therefore the City and the developer have
20 entered into a Public Improvement Agreement for Mission Bay North Block 8707/N4A, dated
21 November 8, 2004, between the City and County of San Francisco and Catellus Land and
22 Development Corporation, a copy of which is in Clerk of the Board File No. 041520,
23 and the Board hereby approves this agreement.
24

25 FURTHER MOVED, that the San Francisco Board of Supervisors accepts, subject to
improvement, all dedications offered on this Final Map.

DOCUMENTS DEPT.

DEPARTMENT OF PUBLIC WORKS
BOARD OF SUPERVISORS

DEC - 7 2004

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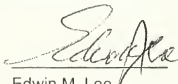
1 FURTHER MOVED, that the San Francisco Board of Supervisors adopts as its own
2 and incorporates by reference herein as though fully set forth the findings made by the City
3 Planning Department, by its letter dated February 05, 2001, that the proposed development is
4 consistent with the objectives and policies of the General Plan and the Priority Policies of
5 Section 101.1 of the Planning Code.

6 FURTHER MOVED, that the San Francisco Board of Supervisors adopts as its own
7 and incorporates by reference herein as though fully set forth the findings made by the San
8 Francisco Redevelopment Agency, by its letter dated February 12, 2001, that the proposed
9 development is consistent with the Mission Bay North Redevelopment Plan and Plan
10 Documents (as such term is defined therein).

11 FURTHER MOVED, that the San Francisco Board of Supervisors hereby authorizes
12 the Director of the Department of Public Works to enter all necessary prior recording
13 information on the Final Map and this Motion before recordation and transmit a copy of the
14 recorded Final Map to the Clerk of the Board of Supervisors.

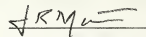
15 FURTHER MOVED, that approval of this map is also contingent upon compliance by
16 the Subdivider with all applicable provisions of the Mission Bay Subdivision Code and
17 amendments thereto.

18
19 RECOMMENDED:

20
21 

22 Edwin M. Lee
23 Director of Public Works
24
25

DESCRIPTION APPROVED:


22 John R. Martin, LS
23 County Surveyor
24
25



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 041520

Date Passed: November 23, 2004

Motion approving Final Map, Planned Development, Mission Bay (BLOCK N4A), a 4 lot subdivision, being phase 2 of a subdivision of Assessor's Blocks 8704, 8705, 8707 and 8708 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1 and the Mission Bay North Redevelopment Plan and Plan Documents.

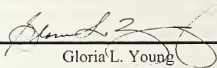
November 23, 2004 Board of Supervisors — APPROVED

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Gonzalez, Ma, Maxwell,
McGoldrick, Peskin, Sandoval

Absent: 1 - Duffy

File No. 041520

I hereby certify that the foregoing Motion
was APPROVED on November 23, 2004 by
the Board of Supervisors of the City and
County of San Francisco.



Gloria L. Young
Clerk of the Board

[Final Map for a 50 Unit Mixed Use Condominium Project]

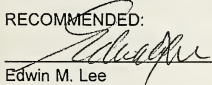
Motion approving Final Map of 1600 Webster Street, A Mixed Use Condominium Project, being a subdivision of Lot 51 in Assessor's Block No. 685, and adopting findings pursuant to Planning Code Section 101.1.

MOVED, That the certain map entitled "Map of 1600 Webster Street, a Mixed Use Condominium Project," being a subdivision of Lot 51, Portion of Assessor's Block No. 685, comprising 9 sheets, approved the 20th Day of October, 2004 by Department of Public Works Order No. 175,056, be and the same is hereby approved and adopted as the Official Map of Map of 1600 Webster Street, a Mixed Use Condominium Project.

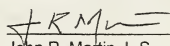
FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the Planning Department, by its letter dated August 28, 2003, that the project intended by the map is consistent with the General Plan and the Priority Policies of Planning Code Section 101.1.

FURTHER MOVED, That approval of this map is also contingent upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

RECOMMENDED:


Edwin M. Lee
Director of Public Works

DESCRIPTION APPROVED:


John R. Martin, L.S.
County Surveyor



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 041521

Date Passed: November 23, 2004

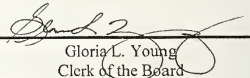
Motion approving Final Map of 1600 Webster Street, A Mixed Use Condominium Project, being a subdivision of Lot 51 in Assessor's Block No. 685, and adopting findings pursuant to Planning Code Section 101.1.

November 23, 2004 Board of Supervisors — APPROVED

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Gonzalez, Ma, Maxwell,
McGoldrick, Peskin, Sandoval
Absent: 1 - Duffy

File No. 041521

I hereby certify that the foregoing Motion
was APPROVED on November 23, 2004 by
the Board of Supervisors of the City and
County of San Francisco.


Gloria L. Young
Clerk of the Board

1 [Declaration of Emergency]

2
3 **Motion concurring in the determination of the Mayor for the continued need for the**
4 **declaration of emergency in connection with the needle exchange program.**

5
6 WHEREAS, On March 15, 1993, the Mayor declared a local emergency to exist in
7 connection with the AIDS epidemic and the high rate of HIV infection among injection drug
8 users and the corresponding high rate of transmission of the disease; and

9 WHEREAS, The Mayor directed the Department of Public Health to take immediate
10 steps to implement a needle exchange program in order to prevent the further spread of HIV
11 infection; and

12 WHEREAS, The Board of Supervisors adopted a resolution concurring in the
13 declaration of emergency and in the Mayor's directive to the Department of Public Health;
14 and

15 WHEREAS, Government Code Section 8630 requires the Board of Supervisors to
16 review the need for continuing the local emergency at least every 14 days; and

17 WHEREAS, The Mayor has determined that the conditions that gave rise to the need
18 for the declaration of emergency still exist and that the need for the declaration of emergency
19 continues; now, therefore, be it

20 MOVED, That the Board of Supervisors hereby concurs in the determination of the
21 Mayor for the continued need for the declaration of emergency in connection with the needle
22 exchange program.

23
24
25
DOCUMENTS DEPT.



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 041568

Date Passed: November 23, 2004

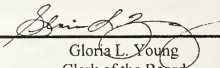
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

November 23, 2004 Board of Supervisors — APPROVED

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Gonzalez, Ma, Maxwell,
McGoldrick, Peskin, Sandoval
Absent: 1 - Duffy

File No. 041568

I hereby certify that the foregoing Motion was APPROVED on November 23, 2004 by the Board of Supervisors of the City and County of San Francisco.


Gloria L. Young
Clerk of the Board

1 [Emergency Declaration Concurrence – Influenza Vaccine.]
2

3 **Motion concurring in the October 12, 2004 Declaration of the Existence of a Local**
4 **Emergency for Limited Purposes by the Mayor, and in the actions taken to meet the**
5 **emergency.**

6 WHEREAS, On October 12, 2004, Mayor Gavin Newsom declared a local emergency
7 to exist for certain limited purposes in connection with the inadequate supply of influenza
8 vaccine in the Bay Area this flu season, following last week's announcement that nearly 50
9 million doses of influenza vaccine manufactured by Chiron would not be shipped; and

10 WHEREAS, The State of California's heavy dependence on Chiron to supply the vast
11 majority of influenza vaccine for this year and the City and County of San Francisco's large
12 population of elderly and immuno-compromised people, make the City vulnerable to unusually
13 high rates of severe illness, hospitalization, and death this flu season; and

14 WHEREAS, Government Code Sections 8500 et seq. and Charter Section 3.100
15 provide for the concurrence by members of the Board of Supervisors in such emergency
16 declaration, and in action taken by the Mayor to meet the emergency; and

17 WHEREAS, The State of California's Public Health Officer issued a Public Health
18 Order on October 8, 2004, "directing all healthcare providers in the state to limit flu shots only
19 to individuals in 'high-risk categories' and to refrain from immunizing healthy individuals in
20 response to a national shortage of flu vaccine...[and] to screen individuals seeking flu shots to
21 ensure that the vaccine is limited to the state's most vulnerable residents"; and

22 WHEREAS, The Mayor is informed and believes that the Counties of Alameda, Contra
23 Costa, San Mateo, and Santa Clara intend to declare local states of emergency in their
24
25

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DEC - 7 2004

Mayor Gavin Newsom

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Page 1

11/15/2004

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1 respective counties regarding the inadequate supply of influenza vaccine in the Bay Area this
2 flu season; and

3 WHEREAS, Members of the Board of Supervisors heard reports from the Mayor and
4 from the Director of Health concerning the inadequate supply of influenza vaccine in the Bay
5 Area this flu season and the vulnerability of the City's large population of elderly and immuno-
6 compromised people to unusually high rates of severe illness, hospitalization, and death this
7 flu season, and reviewed the Mayor's emergency proclamation; now, therefore, be it

8 MOVED, That the Board of Supervisors concurs with the declaration of emergency
9 issued by the Mayor, and in the actions taken by the Mayor to meet the emergency; and be it

10 FURTHER MOVED, That the emergency powers invoked by the Mayor, and the orders
11 issued pursuant thereto, shall remain in effect only so long as conditions in the community
12 justifying the declaration of emergency continue to exist; and be it

13 FURTHER MOVED, That the Board of Supervisors shall regularly review the need for
14 continuing the local emergency as required by Government Code Section 8630.



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 041569

Date Passed: November 23, 2004

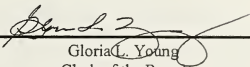
Motion concurring in the October 12, 2004 Declaration of the Existence of a Local Emergency for Limited Purposes by the Mayor, and in the actions taken to meet the emergency.

November 23, 2004 Board of Supervisors — APPROVED

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Gonzalez, Ma, Maxwell,
McGoldrick, Peskin, Sandoval
Absent: 1 - Duffy

File No. 041569

I hereby certify that the foregoing Motion was APPROVED on November 23, 2004 by the Board of Supervisors of the City and County of San Francisco.


Gloria L. Young
Clerk of the Board

[Health Care Workers Lockout – December 2, 2004 Committee of the Whole.]

Motion for the Board of Supervisors to convene as a Committee of the Whole on December 2, 2004 at 1 pm to consider the impact of the possible lockout of health care workers by Sutter Health and measures the City can take to ameliorate the situation.

WHEREAS, SEIU Local 250 has been in negotiations with hospital systems all across Northern California to establish a core set of community of standards that will best serve the interests of patients, health care employees, and the community at large; and

WHEREAS, Sutter Health alone has rejected these basic community standards which include: a real voice for caregivers to ensure safe staffing with third-party resolution of staffing disputes; a training and upgrading fund to address workforce shortages, improve quality, and meet our community's changing health care needs; and pension improvements and retiree health benefits to retain career caregivers; and the right to choose a union and seek a voice at work without employer interference; and

WHEREAS, Sutter Health has continued to put profits before patients; and

WHEREAS, Sutter Health has threatened to lockout workers if a strike occurs; and

WHEREAS, A lockout of 4,000 members of SEIU Local 250 at California Pacific Medical Center, St. Luke's Hospital, and 11 other Sutter hospitals across Northern California health care workers will endanger the health and well being of the entire San Francisco community; now, therefore, be it

MOVED, That the Board of Supervisors of the City and County of San Francisco shall hereby convene as a Committee of the Whole on December 2, 2004 at 1 pm to consider the impact of the possible lockout of health care workers by Sutter Health and measures the City can take to ameliorate the situation.

Supervisor Chris Daly
BOARD OF SUPERVISORS

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DEC - 7 2004

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11/16/2004

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City and County of San Francisco

City Hall
1 Dr Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 041600

Date Passed: November 23, 2004

Motion for the Board of Supervisors to convene as a Committee of the Whole on December 2, 2004 at 1 pm to consider the impact of the possible lockout of health care workers by Sutter Health and measures the City can take to ameliorate the situation.

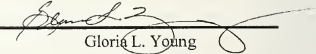
November 23, 2004 Board of Supervisors — APPROVED

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Gonzalez, Ma, Maxwell,
McGoldrick, Peskin, Sandoval

Absent: 1 - Duffy

File No. 041600

I hereby certify that the foregoing Motion
was APPROVED on November 23, 2004 by
the Board of Supervisors of the City and
County of San Francisco.


Gloria L. Young
Clerk of the Board

1 [Board Off-site Meeting]

2
3 Motion ordering the City and School District Select Committee meeting of the Board
4 of Supervisors be held at the Irving G. Breyer Board Meeting Room, Board of
5 Education, 555 Franklin Street, First Floor, San Francisco, on Monday, January 10,
6 2005, at 4:00 p.m. and directing the Clerk of the Board to prepare the proper notices
7 and postings.

8 WHEREAS, In the November 1993 election, Proposition O was passed by the voters
9 of San Francisco to allow committee meetings of the San Francisco Board of Supervisors to
10 be held outside of City Hall; and

11 WHEREAS, The 1996 Charter Section 2.103 continued to allow meetings of the San
12 Francisco Board of Supervisors committees to be held outside of City Hall; and

13 WHEREAS, The Board of Supervisors on February 4, 2003 approved a Motion
14 establishing a joint City and School District Select Committee to hear measures concerning
15 issues of mutual interest that affect the City and School District, its employees, its students,
16 and the families of its students, including the issue of the public use of the School District
17 facilities, and this Committee shall terminate one year from the date of the appointment of
18 its members; now therefore be it

19 MOVED, That the Board of Supervisors of the City and County of San Francisco
20 does hereby order that the Monday, January 10, 2005 meeting of the City and School
21 District Select Committee be held at the Irving G. Breyer Board Meeting Room, Board of
22 Education, 555 Franklin Street, First Floor, San Francisco at 4:00 p.m.; and be it,

23 FURTHER MOVED, That the Clerk of the Board of Supervisors is directed to prepare
24 the necessary notices and postings pursuant to Charter Section 2.103.
25



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 041572

Date Passed: December 7, 2004

Motion ordering the City and School District Select Committee meeting of the Board of Supervisors be held at the Irving G. Breyer Board Meeting Room, Board of Education, 555 Franklin Street, First Floor, San Francisco, on Monday, January 10, 2005, at 4:00 p.m. and directing the Clerk of the Board to prepare the proper notices and postings.

December 7, 2004 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma, Maxwell,
McGoldrick, Peskin, Sandoval

File No. 041572

I hereby certify that the foregoing Motion
was APPROVED on December 7, 2004 by
the Board of Supervisors of the City and
County of San Francisco.

Gloria L. Young
Clerk of the Board

[Final Map for a 8 Unit Live/Work Condominium Project]

Motion approving Final Map of 139 Stillman Street, A Live/Work Condominium Project, being a subdivision of Lot 125 in Assessor's Block No. 3762, and adopting findings pursuant to Planning Code Section 101.1.

MOVED, That the certain map entitled "Map of 139 Stillman Street, a Live/Work Condominium Project," being a subdivision of Lot 125, Portion of Assessor's Block No. 3762, comprising 4 sheets, approved the 20th Day of November 17, 2004 by Department of Public Works Order No. 175,090, be and the same is hereby approved and adopted as the Official Map of Map of 139 Stillman Street, a Live/Work Condominium Project.

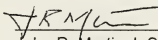
FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the Planning Department, by its letter dated March 3, 2004, that the project intended by the map is consistent with the General Plan and the Priority Policies of Planning Code Section 101.1.

FURTHER MOVED, That approval of this map is also contingent upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

RECOMMENDED:


Edwin M. Lee
Director of Public Works

DESCRIPTION APPROVED:


John R. Martin, L.S.
County Surveyor



City and County of San Francisco

Tails

Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 041647

Date Passed: December 7, 2004

Motion approving Final Map of 139 Stillman Street, A Live/Work Condominium Project, being a subdivision of Lot 125 in Assessor's Block No. 3762, and adopting findings pursuant to Planning Code Section 101.1.

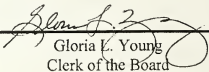
December 7, 2004 Board of Supervisors — APPROVED

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma,
McGoldrick, Peskin, Sandoval

Absent: 1 - Maxwell

File No. 041647

I hereby certify that the foregoing Motion
was APPROVED on December 7, 2004 by
the Board of Supervisors of the City and
County of San Francisco.


Gloria L. Young
Clerk of the Board

[Final Map for a 13 Unit Residential/Commercial Condominium Project]


Motion approving Final Map of 1540-1550 Lombard Street, A Residential/Commercial Condominium Project, being a subdivision of Lot 27 in Assessor's Block No. 497, and adopting findings pursuant to Planning Code Section 101.1.

MOVED, That the certain map entitled "Map of 1540-1550 Lombard Street, a Residential/Commercial Condominium Project," being a subdivision of Lot 27, Portion of Assessor's Block No. 497, comprising 5 sheets, approved the 10th Day of November, 2004 by Department of Public Works Order No. 175,085, be and the same is hereby approved and adopted as the Official Map of Map of 1540-1550 Lombard Street, a Residential/Commercial Condominium Project.

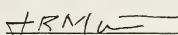
FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the Planning Department, by its letter dated May 19, 2004, that the project intended by the map is consistent with the General Plan and the Priority Policies of Planning Code Section 101.1.

FURTHER MOVED, That approval of this map is also contingent upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

RECOMMENDED:


Edwin M. Lee
Director of Public Works

DESCRIPTION APPROVED:


John R. Martin, L.S.
County Surveyor



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 041649

Date Passed: December 7, 2004

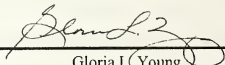
Motion approving Final Map of 1540-1550 Lombard Street, A Residential/Commercial Condominium Project, being a subdivision of Lot 27 in Assessor's Block No. 497, and adopting findings pursuant to Planning Code Section 101.1.

December 7, 2004 Board of Supervisors — APPROVED

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma,
McGoldrick, Peskin, Sandoval
Absent: 1 - Maxwell

File No. 041649

I hereby certify that the foregoing Motion
was APPROVED on December 7, 2004 by
the Board of Supervisors of the City and
County of San Francisco.


Gloria L. Young
Clerk of the Board

1 [Emergency Declaration Concurrence – Influenza Vaccine.]

2
3 **Motion concurring in the October 12, 2004 Declaration of the Existence of a Local**
4 **Emergency for Limited Purposes by the Mayor, and in the actions taken to meet the**
5 **emergency.**

6 WHEREAS, On October 12, 2004, Mayor Gavin Newsom declared a local emergency
7 to exist for certain limited purposes in connection with the inadequate supply of influenza
8 vaccine in the Bay Area this flu season, following last week's announcement that nearly 50
9 million doses of influenza vaccine manufactured by Chiron would not be shipped; and

10 WHEREAS, The State of California's heavy dependence on Chiron to supply the vast
11 majority of influenza vaccine for this year and the City and County of San Francisco's large
12 population of elderly and immuno-compromised people, make the City vulnerable to unusually
13 high rates of severe illness, hospitalization, and death this flu season; and

14 WHEREAS, Government Code Sections 8500 et seq. and Charter Section 3.100
15 provide for the concurrence by members of the Board of Supervisors in such emergency
16 declaration, and in action taken by the Mayor to meet the emergency; and

17 WHEREAS, The State of California's Public Health Officer issued a Public Health
18 Order on October 8, 2004, "directing all healthcare providers in the state to limit flu shots only
19 to individuals in 'high-risk categories' and to refrain from immunizing healthy individuals in
20 response to a national shortage of flu vaccine...[and] to screen individuals seeking flu shots to
21 ensure that the vaccine is limited to the state's most vulnerable residents"; and

22 WHEREAS, The Mayor is informed and believes that the Counties of Alameda, Contra
23 Costa, San Mateo, and Santa Clara intend to declare local states of emergency in their
24
25

DOCUMENTS DEPT.

Mayor Gavin Newsom

JAN 18 2005

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1 respective counties regarding the inadequate supply of influenza vaccine in the Bay Area this
2 flu season; and

3 WHEREAS, Members of the Board of Supervisors heard reports from the Mayor and
4 from the Director of Health concerning the inadequate supply of influenza vaccine in the Bay
5 Area this flu season and the vulnerability of the City's large population of elderly and immuno-
6 compromised people to unusually high rates of severe illness, hospitalization, and death this
7 flu season, and reviewed the Mayor's emergency proclamation; now, therefore, be it

8 MOVED, That the Board of Supervisors concurs with the declaration of emergency
9 issued by the Mayor, and in the actions taken by the Mayor to meet the emergency; and be it

10 FURTHER MOVED, That the emergency powers invoked by the Mayor, and the orders
11 issued pursuant thereto, shall remain in effect only so long as conditions in the community
12 justifying the declaration of emergency continue to exist; and be it

13 FURTHER MOVED, That the Board of Supervisors shall regularly review the need for
14 continuing the local emergency as required by Government Code Section 8630.



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 041700

Date Passed: December 14, 2004

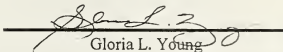
Motion concurring in the October 12, 2004 Declaration of the Existence of a Local Emergency for Limited Purposes by the Mayor, and in the actions taken to meet the emergency.

December 14, 2004 Board of Supervisors — APPROVED

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma, Maxwell,
McGoldrick, Peskin, Sandoval
Excused: 1 - Alioto-Pier

File No. 041700

I hereby certify that the foregoing Motion was APPROVED on December 14, 2004 by the Board of Supervisors of the City and County of San Francisco.


Gloria L. Young
Clerk of the Board

1 [Declaration of Emergency]

2
3 **Motion concurring in the determination of the Mayor for the continued need for the**
4 **declaration of emergency in connection with the needle exchange program.**

5
6 WHEREAS, On March 15, 1993, the Mayor declared a local emergency to exist in
7 connection with the AIDS epidemic and the high rate of HIV infection among injection drug
8 users and the corresponding high rate of transmission of the disease; and

9 WHEREAS, The Mayor directed the Department of Public Health to take immediate
10 steps to implement a needle exchange program in order to prevent the further spread of HIV
11 infection; and

12 WHEREAS, The Board of Supervisors adopted a resolution concurring in the
13 declaration of emergency and in the Mayor's directive to the Department of Public Health;
14 and

15 WHEREAS, Government Code Section 8630 requires the Board of Supervisors to
16 review the need for continuing the local emergency at least every 14 days; and

17 WHEREAS, The Mayor has determined that the conditions that gave rise to the need
18 for the declaration of emergency still exist and that the need for the declaration of emergency
19 continues; now, therefore, be it

20 MOVED, That the Board of Supervisors hereby concurs in the determination of the
21 Mayor for the continued need for the declaration of emergency in connection with the needle
22 exchange program.

23
24
25
DOCUMENTS DEPT.



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 041699

Date Passed: December 14, 2004

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

December 14, 2004 Board of Supervisors — APPROVED

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma, Maxwell,
McGoldrick, Peskin, Sandoval
Excused: 1 - Alioto-Pier

File No. 041699

I hereby certify that the foregoing Motion
was APPROVED on December 14, 2004 by
the Board of Supervisors of the City and
County of San Francisco.

Gloria L. Young
Clerk of the Board

